

YOUR COMPLETE CPD GUIDE

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FEBRUARY – MARCH 2024
WESTERN AUSTRALIA



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ONLINE ONLY

ETHICS, PROFESSIONAL SKILLS AND PRACTICE MANAGEMENT, OVER LUNCH, OVER 3 WEEKS



WEDNESDAY, 14, 21 & 28 FEBRUARY 2024 \$420
10.00AM TO 11.00AM WEB242N02Z

Wanting to square away all your compulsory CPD points before the end of March? Attend these 3 all-encompassing hour-long sessions either online or on demand. They will fit perfectly into your busy schedule as you can have some lunch while you enhance your practice, ensure ethical compliance and polish your professional skills.

✔ Ethics & Professional Responsibility

SESSION 1: HOW (UN)ETHICAL ARE YOU? OVERCOMING UNCONSCIOUS BIAS

WEDNESDAY, 14 FEBRUARY 2024 \$160
10.00AM TO 11.00AM WEB242N02AZ

Chair: **Justine Anderson**, Senior Associate, Carrol & O'Dea Lawyers; President, Women Lawyers Association NSW

How (Un)ethical are you?

- Examine how gender pay gap in the profession can be in part overcome by addressing unconscious bias
- Receive practical strategies to help overcome unconscious biases, as Leah draws upon her own experience of utilising these strategies for structural change in the legal profession around sexual harassment and pay gap in particular

Presented by **Leah Marrone**, Barrister, Flinders Chambers; Respect@Work Council member, Law Foundation member, Immediate Past President of Australian Women Lawyers Ltd

✔ Professional Skills

SESSION 2: MEDIATION-TRICKS AND TRAPS FOR LAWYERS

WEDNESDAY, 21 FEBRUARY 2024 \$160
10.00AM TO 11.00AM WEB242N02BZ

Chair: **John N West KC**, Mediator and Arbitrator, 7 Wentworth Selborne; Leading Mediator, *Doyle's Guide 2023*

- How best to prepare for mediations including getting the client ready
- Who should be present at the mediation
- Delivering a good opening statement & Negotiation techniques
- What to expect in a private session; What is -good faith negotiating; Documenting the Agreement
- The benefits of face to face mediations as opposed to online

Presented by **Robert Goldstein**, Principal, Rob Goldstein Mediation; Nationally Accredited Mediator' Accredited Specialist Mediator; Leading Mediator, *Doyle's Guide 2023, 2022, 2021, 2020*

✔ Practice Management & Business Skills

SESSION 3: LEGAL REVOLUTION: WHAT DOES AI AND NEW TECHNOLOGIES MEAN FOR YOUR PRACTICE?

WEDNESDAY, 28 FEBRUARY 2024 \$160
10.00AM TO 11.00AM WEB242N02CZ

Chair: **Kieran Smark SC**, 153 Phillip; Recommended Technology, Media & Telecommunications Senior Counsel, *Doyle's Guide 2023*

- The latest developments in AI and the tools available to lawyers
- The risks, challenges and ethics of generative AI adoption
- Principles of AI adoption and developing an AI governance framework

Presented by **Lisa Fitzgerald**, Partner and Co-Head, Digital Economy Practice, Lander & Rogers

ATTEND AND EARN

3 CPD UNITS

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

ONLINE ONLY

CROSS BORDER CONTRACTS, BUSINESS DEALS & DISPUTES



THURSDAY, 15 FEBRUARY 2024
10.00AM TO 2.15PM

\$505
WEB242N05Z

Cross-border contracts are evolving, and investment opportunities are growing. Managing the legal challenges in these agreements is paramount. In a jam-packed afternoon you will delve into foreign contract enforceability and navigate cross-border disputes using contemporary methods for managing conflicts and addressing intellectual property risks.

Chair: **Carmel Lee**, Barrister, Greenway Chambers

Starting Right: Where to litigate?

- Resolving jurisdiction issues in cross border litigation
- Establishing jurisdiction
- Choice of forum
- Exclusive foreign jurisdiction clauses

Presented by **Carmel Lee**, Barrister, Greenway Chambers

IP Risk in Cross Border Contracting: What You Should be Aware of

- What IP will be transferred & where will the IP go?
- Sanction lists
- Jurisdictional issues to be aware of
- Protection of IP in a foreign jurisdiction
- Payments and disputes

Presented by **Richard Chew**, Partner, K&L Gates; *Best Lawyers 2024*, Commercial Law; *Best Lawyers 2024*, Information Technology Law

Anticipating Cross Border Disputes

- Anticipating cross-border disputes
- Addressing the rights of third parties not bound by the contract in international deals
- Establishing jurisdiction over the parties and subject matters
- Modifying international commercial contracts to avoid common pitfalls

Presented by **Joern Schimmelfeder**, Principal, Joern Schimmelfeder Legal

Enforceability of Foreign Contracts

- Dealing with damages, judgments, & enforcement
- Enforcement of judgments
- Australian recognition of foreign judgments
- Foreign recognition of Australian judgments
- Registration of judgments: interstate & international
- Identifying overseas assets

Presented by **Samuel J. Woff**, Partner, Warlows Legal and Lecturer, University of Melbourne

Modern Approaches to Cross Border Disputes

- Can my client terminate? Things to consider before pulling the plug
- Certainty and consequences of agreeing to ADR
- Mediation: At what point?
- The use of mediation and ODR platforms as efficient and accessible methods for resolving cross-border disputes
- Good faith requirements
- Tips and practical guidance on drafting arbitration clauses
- Successfully working through the arbitration process

Presented by **Julia Dreosti**, Counsel, Clifford Chance, Immediate Past State-President of the French-Australian Chamber of Commerce and Industry

MASTERING CROSS-BORDER DEALS

The Practicalities of Cross Border Contracting

Finalise the day exploring the fundamental elements for achieving success in cross-border agreements with the expertise of our international speaker, Tim Herbert, Director of London Law Collective. Tim's exceptional technical legal skills will enhance our dispute resolution practice.

Presented by **Tim Herbert**, Director, London Law Collective

ATTEND AND EARN

4 CPD UNITS

- 4 CPD units in Substantive Law

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We can offer your firm a customised solution at an unbeatable price!

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Our CPD Packages offer you the opportunity to pre-purchase a specified number of CPD hours at a reduced rate, granting staff access to over 600 in-person, live online and on-demand programs each year.

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CPD Hours	Price	Per Hour
60	\$5,100	\$85
80	\$6,400	\$80
100	\$7,500	\$75
120	\$8,760	\$73

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ONLINE ONLY WILL DRAFTING WORKSHOP FOR ALL LAWYERS



WEDNESDAY, 21 FEBRUARY 2024
6.00AM TO 10.15AM

\$505
WEB242N07

Building on the success of our Will Drafting Workshop for All Lawyers, this program will elevate your proficiency in will drafting. The workshop is designed to give you expertise, providing step-by-step guides for navigating complex issues in testamentary trusts. Unpack the nuances of will drafting, including how to deal with international assets, SMSFs and gifts. Your facilitators are both accredited specialists and will guide you through approaches and insights, drawing from case studies, legislation and exemplary clauses.

Throughout the course of the program, you will work through step-by-step guides for complex will drafting, gaining high level mentorship 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

In addition, you will examine:

- Various testamentary trusts including discretionary trusts, rights of residence, capital protected trusts, protective trusts, superannuation proceeds trusts and special disability trusts
- Unusual circumstances, instructions and clauses including gifts for pets, gifts of shares in companies, gifts of real property, succession of control of trusts and self-managed superannuation funds
- Overseas assets: How to deal with testators with overseas assets
- The interplay of superannuation and the will
- Your legal professional responsibilities

Presented by **Marie Brownell**, Director, Estate Planning and Administration, NSW Trustee and Guardian; Accredited Specialist in Wills and Estates Law; Lecturer, College of Law and **Josephine Pignataro**, Special Counsel, HWL Ebsworth Lawyers Sydney; Accredited Specialist in Wills and Estates Law; Adjunct Lecturer, College of Law

About Your Facilitators

Marie Brownell, Director, Estate Planning and Administration, NSW Trustee and Guardian

Marie was admitted as a solicitor in 2004 and became an Accredited Specialist in Wills and Estates in 2009. She has worked exclusively in administering and advising clients on estates and trusts matters including duties, rights and responsibilities of executors, trustees and beneficiaries. She works directly with brokers, financial planners, accountants and individuals in providing expert, tailored advice on all aspects of estate planning and estate and trust matters. Marie currently lectures at the College of Law in the Estate Planning units as part of the Master of Applied Law (Wills and Estates).

Josephine Pignataro, Special Counsel, HWL Ebsworth Lawyers

Josephine was admitted as a solicitor in 2003. She became an Accredited Specialist in Wills and Estates Law in 2009. Her wills and estates practice includes estate planning, contested and uncontested grants of representation, estate litigation and advice work on a range of estate issues. Josephine has a Masters of Laws from the University of New South Wales.

“Very useful and practical advice on how to draft a will

“One of the best of its type seminars I have attended”

“Content was comprehensive and both presenters were very articulate and engaging”

ATTEND AND EARN

4 CPD UNITS

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



**WEDNESDAY, 21 FEBRUARY 2024
6.00AM TO 2.15PM**

**\$795
WEB242N08Z**

This is it. Your comprehensive guide to staying up-to-date with NDIS Law in 2024 and beyond. You'll explore both the current and future landscape of NDIS law, covering legal issues & latest updates for lawyers & providers. Stay informed about disability law and services, including Royal Commission outcomes, NDIS change, Guardianship Issues, and leadership in decision-making. Learn about privacy compliance, workplace updates, employee v independent contractor and governance.

SESSION 1: LEGAL ISSUES & LATEST UPDATES FOR LAWYERS

6.00AM TO 10.15AM \$505 WEB242N08AZ

Chair: **Kylie Hyde**, Civil Law Solicitor, Legal Aid

KEYNOTE ADDRESS

Presented by **Senior Member Dr Bridget Cullen**, Migration & Refugee, General, Veterans' Appeals, and National Disability Insurance Scheme Divisions, Administrative Appeals Tribunal

The Move Towards Supported Decision Making

- Discerning competence from vulnerability
- Practicing the National Decision-Making Principles and The Ethics of Care
- Capacity as a relative concept.
- Distinguishing decision making capacity from decision making ability
- Client engagement approach and guidelines for collaborative cognitive responsive practice

Presented by **Michael Perkins**, Principal Lawyer, Autonomy First Lawyers

Guardianship Issues: Advising Families of NDIS Participants

Presented by **Clifford Hughes**, Principal, Clifford Hughes & Associates

The Overlap and Gap Between the NDIS Scheme and Children with Disability Receiving Supports in Schools

- Funding supports for children with disability in schools: What areas are covered by the NDIS and what are the crossovers/overlaps?

Presented by **Rebecca Haynes**, Lawyer, Lecturer, Previously at Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

INSIGHTS FROM THE AAT

'The State of the NDIS Division: What we are Doing and Where we are Going'

Presented by **The Honorable Michael Mischin**, Deputy President, Administrative Appeals Tribunal (AAT) and Division Head of the National Disability Insurance Scheme Division



SESSION 2: LEGAL ISSUES IMPACTING DISABILITY SERVICE PROVIDERS

11.00AM TO 2.15PM \$420 WEB242N08BZ

Chair: **Andrea de Smidt**, Senior Solicitor, NDIS Appeals at Queensland Advocacy for Inclusion

An Update on the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and the NDIS Review

- Gain a brief overview of the findings and recommendations contained within both the final reports of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability & the NDIS Independent Review Panel
- Navigating the Australian Government's responses to the recommendations to date & how providers should be responding to and implementing them
- Examine the current lay of the land with respect to NDIS Quality and Safeguards Commission prosecutions & our predictions for further prosecutions in the future

Presented by **Luke Geary**, Partner, Mills Oakley; *Best Lawyers* 2023, 2024, Lawyer of the Year, Non-Profit/Charities and **Riley Huntley**, Lawyer, Mills Oakley

Privacy Compliance Issues

- Important privacy concepts that service providers need to know
 - What is personal information, sensitive information and health information?
 - Privacy compliance issues
 - When collecting participants' information: what can you collect, what you can't collect, and obtaining participant's consent
 - Storing and accessing participant's information: What must you provide access to and what are the related exceptions?
 - Disclosing information: When information can & can't be used and disclosed

Presented by **Vanessa Baic**, Special Counsel, K&L Gates

Navigating the Implications of Workplace Updates and Legislative Reforms for NDIS Sector

- Employee v independent contractor: what are the changes?
- The impact of the Secure Jobs Better Pay Act and the Closing the Loopholes Bill: How will these changes affect providers?
- Sexual harassment in the workplace
- Psychosocial risks in the NDIS workplace: What do providers need to be aware of?

Presented by **Chris Molnar**, Partner, Kennedys; Accredited Specialist in Workplace Relations and **Victoria Athanasiou**, Associate, Kennedys

Governance Plus Directors and Officers Duties

- NDIS Registered Provider obligations and requirements: What Boards need to know?
- Disability Royal Commission recommendations regarding governance and co-design
- Suitability assessment for key personnel
- Common law duties
- Corporations Act
- Governance for ACNC registered charities

Presented by **Alison Choy**, Flannigan Partner, Hall & Wilcox; Honorary Fellowship with Australasian College of Health Service Management 2022, *Best Lawyers* 2024, Biotechnology Law, Health & Aged Care Law, *Best Lawyers* 2023, Retirement Villages & Senior Living Law, Leading Health & Aged Care Lawyer, *Doyle's Guide* 2023

ATTEND AND EARN

7 CPD UNITS

7 CPD units in Substantive Law

ONLINE ONLY EMPLOYMENT LAW WORKSHOP: THE BASICS FOR LAWYERS



THURSDAY, 22 FEBRUARY 2024
6.00AM TO 10.15AM

\$505
WEB242N10Z

Exclusively designed for lawyers not specialising in the workplace space, take the time to attend this important webinar that addresses current key employment law issues that all lawyers need to know about given the current legislative and case law environment; managing psychosocial risks, avoiding adverse action claims, navigating bullying and discrimination concerns and conducting effective workplace investigations in relation to a complaint.

Chair: **Nathan Keats**, Principal Lawyer, McNally Jones Staff; Accredited Specialist in Employment and Industrial Law

Managing Psychosocial Risks: A Practical Review

- Key duties and obligations of employers and employees
- What is psychological safety?
- Code of Practice: managing psychosocial hazards at work
- A practical perspective on WHS compliance

Presented by **Elizabeth Devine**, Principal, Devine Law; Accredited Specialist in Employment and Industrial Law

Unpacking General Protections and Adverse Action Claims

- The basic framework of a general protections claim
- High Court decisions on the jurisdiction, including the recent decision in Qantas
- What is a complaint or inquiry in relation to employment
- The ability for employers to readily discharge the reverse onus

Presented by **James Mattson**, Partner, Bartier Perry; Accredited Specialist in Employment and Industrial Law

Dealing with Bullying, Discrimination and Harassment in the Workplace

- Current cases and precedents
- Usefulness of the jurisdiction
- Limitations on outcomes
- Impact of introduction of Sections 527D and 527D and following, regarding sexual harassment jurisdiction parallel to the bullying jurisdiction

Presented by **Chris McArdle**, Principal, McArdle Legal; Accredited Specialist in Employment and Industrial Law

Redundancy and How to Minimise the Risk of an Unfair Dismissal

- Identifying roles for redundancy
- When does a genuine redundancy arise
 - Job no longer required
 - Compliance with consultation obligations
 - Redeployment
- Best practice tips for minimising legal risk

Presented by **Louise Rumble**, Partner, Gadens

Workplace Investigations, Managing Emotional Witnesses and Delivering Outcomes

- The legal framework behind conducting a workplace investigation
 - Do you have a conflict and knowing the legal constraints
 - Allegations, issues and making a start and avoiding a witch hunt
 - Identifying the issue and gathering information
 - Putting allegations: tips and traps and delivering the outcome
- Statements from an emotional witness: keeping the focus on the complaint while maintaining empathy and respect

Presented by **Jodie Bradbrook**, Principal, Bradbrook Lawyers; Leading Employment Lawyer, *Doyles Guide 2023*

ONLINE ONLY FOREIGN OWNERSHIP OF AUSTRALIAN ASSETS INTENSIVE



THURSDAY, 22 FEBRUARY 2024
6.00AM TO 10.15AM

\$505
WEB242N11Z

Explore the complexities of foreign ownership in Australian assets. Delve into the new Register of Ownership of Australian Assets to understand what transactions are within the scope of the new register, examine the difficulties with private equity funds for foreign investors, and review considerations around Notifiable National Security Actions

Chair: **Elise Markwick**, Partner, Martelli McKeeg

New Register of Ownership of Australian Assets

The Register of Ownership of Australian Assets is a new register established under the *Foreign Acquisitions and Takeovers Act 1975*. Foreign persons are required to register certain actions on the register, including acquisition of certain interest in Australian land, water, entities and businesses and other assets.

- What is the register and what does it replace
- How does it work
- How to register transactions
- What transactions are within the scope of the new register (and what to do about actions outside the register, which still need to be notified to the Treasurer)
- What are the penalties for failure to register

Presented by **Benjamin Adams**, Special Counsel, Baker & McKenzie and Marissa Volaris, Associate, Baker & McKenzie

Difficulties with Private Equity Funds and How they are Treated Under the Legislation

- Core principles:
 - foreign persons
 - foreign government investors
 - associates
 - tracing of equity interests
- Application of core principles to private equity fund structures
- How The Treasury reviews private equity ownership and advisory arrangements
- Exemption certificates

Presented by **Marcus Clark**, Partner, Johnson Winter Slattery

National Security Space

- Notifiable National Security Actions v Reviewable National Security Actions
- Identifying whether a business is considered to be a national security business
- Examples of unexpected businesses that are captured
- Tips for applications concerning national security businesses
- Potential conditions to approval

Presented by **Natasha Augustin-Fleming**, Special Counsel, K&L Gates

Investment into New Zealand

- Overview of New Zealand's Overseas Investment Act
- Who is screened?
- What assets are screened?
- Screening rules
- Investments involving matters of national interest
- National security and public order screening
- Special rules for Australian investors

Presented by Representative from Toitū Te Whenua Land Information New Zealand



IMPLICATION OF
NEW REFORMS

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4 CPD UNITS

4 CPD units in Substantive Law

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4 CPD UNITS

4 CPD units in Substantive Law

ONLINE ONLY

NOT FOR PROFIT & CHARITIES LAW: LEGISLATION, GOVERNANCE, AND COMPLIANCE



WEDNESDAY, 28 FEBRUARY 2024
6.00AM TO 10.15AM

\$505
WEB242N16Z

Explore the latest in Not-for-profit and Charity Law, incorporating new legislation, vital governance tools, and compliance insights. Dive into auspicing, a frequently misunderstood concept. Additionally, gain in-depth insights into evolving legislative and policy changes affecting the sector, keep updated on strategic priorities, and delve into critical sector issues like AI and cybersecurity, all under the guidance of leading experts in the field. Don't miss this opportunity to stay informed, ensure compliance, and address the challenges and opportunities of 2024.

Chair: **Mark Fowler**, Principal, Fowler Charity Law

ACNC Insights for 2024: Legislative Change, Strategic Priorities, AI and Cybersecurity Challenges

- Gain in-depth insights into the evolving landscape of legislative and policy changes that will have an impact on the sector
- Stay updated with our progress on strategic priorities and receive a mid-financial year update
- Explore critical sector issues, including the intricacies of AI and cybersecurity, as you address the challenges and opportunities of 2024

Presented by **Joanna Austin**, ACNC, Director Legal & Policy

Practical Tools in Governance and Compliance of NFPs

Strong governance foundations are crucial for not-for-profit organisations and charities to meet compliance obligations. Basic governance ensures a compliance culture, risk mitigation, and time for proactive risk management

- Gain practical measures to enhance risk management and compliance to ensure the proper management and to avoid the risks

Presented by **Valentyna Jurkiw**, Special Counsel, Mills Oakley

Care Organisations: Governance in Not-for-profit

- Changes to the Aged Care Act relating to board composition and advisory bodies
- How these changes play out in different types of not-for-profit structures
- Structuring to reduce the impact of the changes on existing operations
- Application of the principles in other settings in the future

Presented by **Lucinda Smith**, Partner; **Best Lawyers 2024**, Lawyer of the Year, Not-for-profit & Charities Law and **John Vaughan-Williams**, Senior Associate, Thompson Geer

How to Navigate Auspicing: Definitions, Arrangements, and Best Practices in Not-for-profit Law

- What is and what is not auspicing
- Common auspicing arrangements
- Tips and traps when engaging in auspicing arrangements
 - From the perspective of the auspicee and auspisor

Presented by **Darren Fittler**, Partner, Gilbert + Tobin; **Best Lawyers 2022**, Partner of the Year, Not-for-profit & Charities Law; Chambers Asia-Pacific 2022, Ranked band 1

ONLINE ONLY

CLIMATE CHANGE LITIGATION AND TRENDS FORUM



WEDNESDAY, 28 FEBRUARY 2024
6.00AM TO 10.15AM

\$505
WEB242N17Z

Discover the latest emerging trends in Climate Litigation. Explore the use of corporate and consumer law, directors' duties, class actions, and human rights-linked causes of action. Gain insights into recent climate change cases, greenwashing regulation, and carbon offsets. Enhance your understanding of climate litigation with our expert panel and join us for this essential event.

Chair: **Alexandra Rose**, Barrister, Black Chambers; NSW Bar Climate Change Committee Member

Emerging Trends in Climate Litigation

- Use of corporate and consumer law - by regulators and other stakeholders
- A spotlight on directors' duties and disclosure obligations
- Class actions
- Human rights-linked causes of action

Presented by **Ilona Millar**, Partner, Gilbert + Tobin; Leading Individual for Environment + Planning, *The Legal 500 Asia Pacific 2023*

An In-Depth Look at Four Recent Climate Change Litigation Cases

- *Bushfire Survivors v Environment Protection Authority* (Land and Environment Court)
- *Minister for Environment v Sharma* (Full Federal Court)
- *Bushfire Survivors v Narrabri Coal Operations* (Land and Environment Court)
- *Environment Council of Central Queensland v Minister for Environment and Water (No 2)* (Federal Court)

Presented by **Clifford Ireland**, Barrister, Thirteen Wentworth Chambers; *Best Lawyers 2024*, Climate Change Law

The Greenwashing Regulatory Landscape: A Focus on ASIC and ACCC

- Examination of greenwashing regulatory space
- Insights into ASIC enforcement strategies
- Analysis of ACCC enforcement measures

Presented by **Claire Smith**, Partner; Leading Climate Change Lawyer, *Doyle's Guide 2023* and **Emily Tranter**, Partner, Clayton Utz

The Issues with Carbon Offsets and Credits

- Recent developments in carbon credit and renewable energy credit schemes
- Due diligence in the use of carbon credits
- Do you know where your credit has been?
- How green is your power?

Presented by **Graeme Dennis**, Principle, Adarite Legal; *Best Lawyers 2024*, Climate Change Law

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4 CPD units in Substantive Law

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

ONLINE ONLY DUST DISEASES UPDATE



FRIDAY 1 MARCH 2024
9.00AM TO 1.00PM

\$505
WEB243N07Z

Take this opportunity to hear from some of the best presenters from our September 2023 Dust Diseases webinar provide you with a comprehensive roundup of important developments in dust diseases law in Australia.

Developments in the Treatment of Silicosis

- How does artificial stone silicosis differ to silicosis caused by natural sources of silica?
- Artificial stone silicosis in Victoria, what have we learnt over the last 4 years?
- What are the current and emerging treatments for silicosis?

Presented by **Dr Ryan Hoy**, Respiratory Physician and **Dr Hayley Barnes**, Respiratory Physician, Alfred Hospital

Silicosis and Silica Related Lung Disease Claims: Court Systems and Compensation Options in Australia

- Silicosis: statistics and case studies
- Government response to silica and silicosis
- Compensation entitlements: workers compensation claims and common law claims

Presented by **Joanne Wade**, Head of National Asbestos and Dust Diseases, Slater & Gordon; Accredited Specialist in Personal Injury Law; Leading Asbestos & Dust Diseases Compensation Lawyers (Plaintiff), 2023, *Doyles Guide*

PANEL DISCUSSION

Asbestos Case Roundup

Canvas relevant case law focusing on issues discussed in recent and significant asbestos cases including disputes relating to issues of foreseeability and breach of duty.

Presented by **Tanya Segelov**, Partner, Segelov Taylor, **Marissa Brock**, Special Counsel, DWF

Sullivan and Gordon Damages: Case Review

- Sullivan and Gordon damages awards in the Dust Diseases Tribunal in 2020 and following; approaches to the assessment
- Approaches outside the Dust Diseases Tribunal to assessing damages for *Sullivan v Gordon*
- Interaction with loss of dependency claims
- Other recent cases of significance

Presented by **Jonathan Walsh**, Principal Lawyer, Maurice Blackburn Lawyers; Leading Asbestos & Dust Disease Compensation Lawyers (Plaintiff), *Doyles Guide* 2023

ONLINE ONLY ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT: RISK MANAGEMENT, CLIENT COMMUNICATION & MAINTAINING MENTAL HEALTH



FRIDAY, 1 MARCH 2024
11.00AM TO 2.15PM

\$420
WEB243N01Z

Gain your compulsory CPD areas and make a positive difference to your practice. This program is built for all lawyers in Australia. Join thought leaders for an empowering afternoon as they share practical tips & tricks for mitigating legal risks and managing client communications in challenging circumstances, all while maintaining a positive outlook and good mental health as a legal practitioner. Examine Ethics as an integral part of legal practice so as you get caught up in the hustle and bustle of the job, you don't lose sight of ethical considerations.

Chair: **Jeremy Morris SC**, Barrister, 13th Floor St James' Hall Chambers

✔ Practice Management & Business Skills

Legal Risk Management in 2024: A Reflective Insight for all Lawyers from the Robodebt Scheme Crackdown

All lawyers in Australia will benefit from this thoughtful perspective provided by the Counsels Assisting the Royal Commission into the Robodebt Scheme as they share:

- What does due diligence look like moving forward: Lessons from the Case
- Prevention strategies to mitigate potential legal mishaps before they arise
- Best practice for identifying compliance gaps and areas of vulnerability of a client's objectives

Presented by **Angus Scott KC**, Murray Gleeson Chambers; Senior Counsel Assisting the Royal Commission into the Robodebt Scheme; Leading Employment & WHS Barristers – Queensland, *Doyle's Guide* 2023 and **Doug Freeburn**, Barrister, Higgins Chambers; Counsel Assisting the Royal Commission into the Robodebt Scheme

✔ Ethics & Professional Responsibility

Navigating Ethical Complexities in High-Level Matters and Maintaining Legal Professionalism

- Manage relationships with clients and setting boundaries in circumstances where you and your clients are highly stressed
- What to do when clients overshare
- Ensuring your communications with your client, opponent and the Court achieve their purpose and don't attract the wrath of your regulatory body

Presented by **Rebecca Conder**, Principal - Litigation and Dispute Resolution, Cullen Macleod Lawyers

✔ Professional Skills

Counsel for Counsels: Nurturing Resilience and Prioritising Mental Health in Legal Practice

- Practical strategies for managing stress
- Is maintaining healthy work-life balance in the legal profession a realistic goal?
- More than coping, how you can thrive in your roles and have a fulfilling career

Presented by **Linda MacKinlay**, Partner, Workplace Relations, Bartier Perry

“Very informative; quality and engaging speakers”

“Never better and I am genuinely grateful for this content”

ATTEND AND EARN

4 CPD UNITS

2.5 CPD units in Substantive Law
1.5 CPD units in Professional Skills

ATTEND AND EARN

3 CPD UNITS

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



FRIDAY, 1 MARCH 2024
6.00AM TO 2.15PM

\$795
WEB243N03

Attend this Conference to hear from 13 of the best, including from his Hon. Justice Weinstein, his Hon. Justice Francois Kunc, a Registrar, and Senior Counsel, and you will learn advocacy and evidence from the very best. You'll learn how to prepare expert evidence for complex commercial litigation, stay updated on conversation evidence, gain insights into implied waiver of privilege & inadvertent disclosure, plus examine challenges in preparation and collection and admissibility. Gain instruction on advocacy in interlocutory and urgent applications, guidance on written advocacy and advocacy in mediations. A day not to be missed.

SESSION 1: AN EVIDENCE MASTERCLASS

6.00AM TO 10.15AM \$505 WEB243N03A

Chair: Vera Culkoff, Barrister, 2 Selbourne Chambers

OPENING ADDRESS

Presented by The Hon. Justice Richard Weinstein, Supreme Court of New South Wales

Preparation of Expert Evidence, Particularly in Complex Commercial Litigation

- The role of lawyers in preparing expert evidence: *New Aim Pty Ltd v Leung*
- Issues under the *Evidence Act*: see *Dasreef Pty Ltd v Hawchar* (2011) and *Makita (Australia) Pty Ltd v Sprowles* (2001)
- Hindsight bias, its role and efforts to protect against it
- Expert concurrent evidence: Joint expert reports, 'hot tubs' and cross-examination

Presented by Cynthia Cochrane SC and Aditi Rao, Barrister, Level 22 Chambers

A Quiet and Profound Revolution in the Law and Practice of 'Conversation Evidence': *Kanes Hire Pty Ltd v Anderson Aviation Australia Pty Ltd*

- Examine the significant practical implication of *Kanes Hire* for case preparation and presentation
- Explore the principles of the psychology of memory which underpin the new approach
- Gain recommended practice guidelines for evidence preparation, which are informed by the decision and the broader principles of the psychology of memory
- Understand the wider implications for practice and the administration of justice, of the psychology of memory (generally) and the profound vulnerability of conversational memory to distortion (specifically)

Presented by Hugh Stowe, Barrister, 5 Wentworth Chambers and Alexander Vial, Barrister, 5 Wentworth Chambers

Ethics & Professional Responsibility

Implied Waiver of Privilege and Inadvertent Disclosure: Challenges for Advanced Practitioners

- Scope of legal professional privilege
- Implied waiver: the grey areas and how to avoid unforeseen pitfalls
- Inadvertent disclosure and what to do when there is an inadvertent disclosure
- Challenges posed by electronic documents and large volume discovery
- Analysis of recent cases

Presented by Julian O'Sullivan, Barrister, 13 Wentworth Chambers

Professional Skills

PANEL DISCUSSION

Managing Problems with Evidence Collection, Preparation and Admissibility: Tips and Traps

Panellists

Jason Betts, Partner, Global Co-Head of Class Actions, Herbert Smith Freehills

Julian O'Sullivan, Barrister, 13 Wentworth Chambers

Hugh Stowe, Barrister, 5 Wentworth Chambers

Kirsten Webb, Partner, Clayton Utz

SESSION 2: MASTERING YOUR ADVOCACY SKILLS: INSIGHTS FROM THE EXPERTS

11.00AM TO 2.15PM \$420 WEB243N03B

Chair: Kate Eastman AM SC, New Chambers

Professional Skills

Written Advocacy: Writing with Effect and Persuasion

Senior Counsel imparts advanced strategies for skillfully persuading the court through the use of correspondence, affidavits and submissions
Presented by Anthony Cheshire SC, 8 Wentworth Chambers

Professional Skills

Collaboration not Advocacy at Mediation

- Mediation does not involve proof of facts or persuasion of a third party
- Appropriate and helpful preparation for mediation does not involve
 - Preparing your clients as if he/she is going to be a witness in court
 - Preparing yourself as if you are going to represent your client in court
- Focus needs to be on client's best interests, empowerment and on collaboration

Presented by Max Kimber SC, The Olive Rooms

Professional Skills

HEAR FROM THE BENCH

Interlocutory and Urgent Applications Advocacy

Presented by The Hon. Justice Francois Kunc, Supreme Court of New South Wales and Registrar Leonie Walton, Registrar in Equity and Corporations Registrar Supreme Court of New South Wales

“Great program, excellent speaker”

“Enjoyed all topics. Very practical”

ATTEND THE FULL DAY AND EARN

7 CPD UNITS

2 CPD units in Substantive Law
1 CPD unit in Ethics & Professional Responsibility

4 CPD units in Professional Skills

ONLINE ONLY CONTRACT DISPUTES MASTERCLASS



MONDAY, 4 MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243N05

Prevent lengthy and costly battles that strain relationships and budgets. Our exclusive Masterclass delves into critical subjects like liability limits, indemnity clauses, termination dilemmas, how to avoid unfairness, good faith obligations, certainty and procedural consequences of agreeing to ADR before arbitration & more. Guided by renowned authorities in Australian contract law, you'll gain practical tools and insights to enhance your strategies, safeguarding against costly mistakes.

Chair: **François FF Salama**, Barrister, 13th Floor St James Hall

Limitation of Liability and Indemnity Clauses: What Are the Risks?

- Capping liability to set a maximum recoverable amount
- Establishing a threshold below which claims are not permitted
- Setting time limits for bringing claims, ensuring legal liability ceases after a certain point
- Excluding liability to the fullest extent possible, limiting the other party's rights and remedies
- The power of indemnity clauses

Presented by **Luke Buchanan**, Solicitor Director, Buchanan Rees Dispute Lawyers; *Best Lawyers* 2023, Litigation & Class Action Litigation and Tabeth Takavarasha, Senior Associate, Buchanan Rees Dispute Lawyers

Stay, Just a Little Bit Longer: Was That a Termination?

- Some commercial agreements are for either a fixed period or have termination for convenience clauses. What if the agreement is silent in this respect, one party wishes to terminate but the other wishes it to endure?
- Can a clause be implied that the party seeking to walk away can terminate on reasonable notice (a "TORN" term)?
- What if the other party has invested substantial capital in the venture?
- Examine the varying scenarios that can arise in practice, starting with the seminal NSW case from the 1980's, then fast forwarding to recent judgments in the UK and Australia

Presented by **Sydney Jacobs**, Barrister, Thirteen Wentworth Selborne Chambers

Confronting "Unfairness"

- Australian Consumer Law and governing unfairness
- Lessons learned from the new unfair contract terms regime
- Unfair business practices reforms
- Contracting to avoid unfairness and disputes

Presented by **Adrian Lawrence**, Partner, Head Asia Pacific Technology, Media & Telecommunications Group, Baker McKenzie and Caitlin Whale, Special Counsel, Baker McKenzie

✔ Professional Skills

Misrepresentation and Good Faith: Mediating Contract Disputes

- The obligation of good faith: What it means?
- Consequences of bad behaviour
- What you can (and cannot) say in a mediation

Presented by **Campbell Bridge SC**, 7 Wentworth Selborne Chambers; *Best Lawyers* 2019, 2020, 2021, 2022, 2023 and 2024, Alternative Dispute Resolution; Leading Mediators, *Doyle's Guide* 2018, 2019, 2020, 2021.

Certainty and Procedural Consequences of Agreeing to ADR Before Arbitration

- Australian courts increasingly find agreements to negotiate in good faith or mediate disputes to be sufficiently certain
- But if there also agreement to arbitrate, can a party start litigation over whether such pre-arbitration steps are completed, or must that question go to the arbitrator?
- If the arbitrator decides it as part of the award, can that be challenged due to lack of jurisdiction, or not as this question goes to admissibility and merits?

Presented by **Luke Nottage**, Special Counsel, Williams Trade Law; Professor, Sydney Law School

ONLINE ONLY REGULATORY DECISION MAKING: BACK TO BASICS



TUESDAY, 5 MARCH 2024
1.45PM TO 5.30PM

\$420
WEB243V04Z

Get a practical guide to regulatory decision-making first-hand from a panel of principal decision makers. Benefit from all your key questions answered and ensure your future decisions will stand under scrutiny. Improve your expertise by further understanding the governing world of regulatory decision-making. Understand how to craft effective reasons, comprehend decision acceptance factors, and navigate challenges pivotal for all lawyers.

Chair: **Stephen Moloney**, Barrister, Owen Dixon Chambers West

✔ Professional Skills

Practical Guiding Principles to Making Regulatory Decisions

- What are the key questions to ask yourself when making regulatory decisions?
 - Where does the power come from to make that decision?
 - Am I authorised to make that decision?
 - Can I delegate the power to make that decision?
 - What must I consider when making that decision?
 - What evidence is that decision based on?
- What steps to take to ensure decisions are free from allegations of bias
- How to ensure decisions are transparent and conform to natural justice
- Practical examples

Presented by **Julie Zhou**, Barrister, Chapman's List

✔ Professional Skills

The Delivery of Regulatory Decisions

- Structure of effective reasons
- Importance of ensuring comprehension of reasons
- Factors that affect the acceptance of decisions

Presented by **Dr Jamie Orchard**, AHPRA General Counsel, AHPRA (Australia Health Practitioner Regulation Agency)

Challenging Regulatory Decisions

- The basics – what can be challenged, how, and why
- Understanding the different avenues and types of challenge to the decision available
- Strengthening prospects of a successful challenge
- Tips, tricks and traps for dealing with regulators, applicants and review bodies

Presented by **Steven Brnovic**, Barrister, Foley's List, Leading Public and Administrative Law, *Doyle's Guide* 2022

Notable Case Law Developments and Key Regulatory Insights from AFCA

- Overview of recent legal cases (ISG, Notesco, Agriwealth)
- Their significance and implications for the industry
- General procedural fairness considerations for AFCA

Presented by **Shail Singh**, Acting Lead Ombudsman, Investments and Advice, AFCA (Australian Financial Complaints Authority)

✔ Professional Skills

Practical Application of Regulatory Decision-Making: A Panel Conversation

Delve further into real life examples with decision makers and Counsel and work through issues that you want answered.

Panel includes:

Dr Jamie Orchard, AHPRA General Counsel, AHPRA (Australia Health Practitioner Regulation Agency)

Steven Brnovic, Barrister, Foley's List Leading Public and Administrative Law, *Doyle's Guide* 2022

Shail Singh, Acting Lead Ombudsman, Investments and Advice, AFCA (Australian Financial Complaints Authority)

Julie Zhou, Barrister, Chapman's List

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Substantive Law
1 CPD unit in Professional Skills

ATTEND AND EARN

3.5 CPD UNITS

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



TUESDAY, 5 MARCH 2024
6.00AM TO 2.15PM

\$795
WEB243N06

A trust is a common tool for advancing business objectives, investment planning and organising financial affairs. For a trust to effectively serve its purpose, lawyers must consider a plethora of factors impacting trustee resolutions and beneficiary decisions. Do not miss this gathering of legal experts and the opportunity to enhance your expertise. Join them as they unpack potential risks, discuss legislative treatments of financial agreements, and explore tax implications of trust entities.

SESSION 1: LET'S GET FISCAL ABOUT TRUSTS: TRUSTS AND TAXATION

6.00AM TO 10.15PM \$505 WEB243N06A

Chair: **Valentina Stojanovska Cal**, Managing Director, Black Book Management; Principal, Black Book Legal

Understanding Family Trusts in the Context of Australian Tax Law

In Taxation Law, 'Family Trust' is a term of art which has a different meaning from the expression generally used by lawyers to describe a discretionary trust settled for the benefit of a particular family. This does not only lead to misunderstanding but has the potential for significant tax costs.

- When is a trust considered a Family Trust and why a Family Trust?
- Tax losses and company tax losses
- Franking credit access
- The 'family' defined
- Interposed entities
- Disadvantages when a trust is considered a 'Family Trust'
- Penalty taxes
- Pitfalls for advisors

Presented by **Julie Van der Velde**, Principal, VdV Legal; Recommended Leading Wills, Estates & Succession Planning Lawyer – South Australia, *Doyle's Guide 2023*

Section 100A Deep-Dive

- An update on the current state of law
- Tax consequences that arise when assets are distributed from a trust to their beneficiaries
- Further complications relating to stamp duty and GST considerations, particularly in the context of in-specie distributions
- Trustees' powers and obligations when making decisions regarding the timing and recipients of trust distributions
- Highlighting factors for consideration when contemplating changes to the vesting dates of trusts

Presented by **Amrit MacIntyre**, Senior Adviser, Baker & McKenzie; *Best Lawyers 2024*, Tax Law and **John Walker**, Partner, Baker & McKenzie

Avoiding Stamp Duty Pitfalls on Acknowledgment of Trust

- Chief Commissioner of *State Revenue v Benidorm Pty Ltd* [2020] NSWCA 285
- The *State Revenue and Fines Legislation Amendment (Miscellaneous) Act 2022* (NSW) and Section 8AA
- What to know and what to avoid
- Possible defences: Sections 18, 30, 55, bare legal title or others?

Presented by **Michael Bennett**, Barrister, 13th Floor Wentworth Chambers

Comprehensive Exploration of Section 99B: Context, Applications and Audits

- Overview of Section 99B including its historical context and underlying objectives
- Understanding the applicability of Section 99B through practical examples, including instances involving Section 99C
- Examine the challenges involved in proving the corpus exception and highlighting its demanding nature
- Insights into the process of managing a Section 99B audit

Presented by **Jonathan Ortner**, Partner, Arnold Bloch Leibler; *Who's Who Legal*, Corporate Tax 2023, Australia & New Zealand; Co-Chair, ATO's Private Groups Stewardship Group and **Micaela Bernfield**, Senior Associate, Arnold Bloch Leibler

Trusts and Div 7A Loan, from Tax Audits to AAT Decisions: A Case Study Approach and the Decision in Bendel

- Delve into the recent and significant decision in *Bendel and Commissioner of Taxation* [2023] AATA 3074
- This practice and procedural presentation will provide you with an insightful case study on:
 - The tax treatment of unpaid entitlements to company entities
 - The nature of a Div 7A loan
 - What it means for trusts moving forward

Presented by **Brett Young**, Partner, Tax, Hall Chadwick; former Barrister specialising in Taxation law; Adjunct Academic, University of Technology, Sydney; Fellow, Chartered Accountants Australia & New Zealand

SESSION 2: TRUSTS SETUP, PLANNING AND LITIGATION

11.00AM TO 2.15PM \$420 WEB243N06B

Chair: **Denis Barlin**, Barrister, 13 Wentworth Chambers; Recommended Tax Barrister, *Doyle's Guide 2023*

Essential Fundamentals for Establishing a Trust

In this session, we revisit the trust deed as the key instrument governing the trust relationship. We consider the key elements that should be factored when designing a trust, including those often neglected during the process. Relevant considerations include beneficiary clauses, trustee discretions and powers, vesting, amendment powers and the context of the trust (such as succession).

Presented by **King Tan**, Consulting Principal, Keypoint Law

Effective Trust Planning: Is Your Client's Super Going Where They Intended?

- Considerations for establishing an effective super plan to ensure smooth distribution
- Should your client be adopting a non-binding, binding or hardwired approach?
- Additional considerations for SMSF planning and knowing when to shut down a super
- Understanding the tax implications (including super death benefits tax, capital gains tax and stamp duty) on trust planning

Presented by **Elizabeth Burnheim**, Consulting Principal, Keypoint Law

Trust Litigation: An Overview of Practice, Procedure & Strategy

- What you need to know about trust disputes in general
- Disputes involving the taxation of trusts
- Can general trust cases and those of taxation overlap?
- High Court decisions regarding declarations of trust in the State Supreme Courts that may concern Commonwealth income tax:
 - *Commissioner of Taxation v Thomas* (2018) 264 CLR 382
 - *Executor Trustee and Agency Co of South Australia v DCT* (1939) 62 CLR 545

Presented by **Michael Bersten**, Barrister; Recommended Tax Barrister, *Doyle's Guide 2023*

ATTEND THE FULL DAY AND EARN

7 CPD UNITS

7 CPD units in Substantive Law

ONLINE ONLY UNDERSTANDING FINANCIAL REPORTS WORKSHOP



TUESDAY, 5 MARCH 2024
7.00AM TO 10.15AM

\$420
WEB243Q5Z

Attend this practical workshop to gain a better understanding of what financial statements are telling you and what red flags to watch out for. Understand the information that you can gather when you learn how to really read a business valuation and about the different valuation methodologies the valuer could have used. Learn how to identify signs of potential distress or insolvency in financial statements.

PART ONE

Understanding and Interpreting Financial Statements Including “Red Flags”

Not all financial statements are created equal, Join this workshop to explore why this is before walking through the financial statements contained in a financial report and talk about the key elements.

Throughout the session you will consider:

- How to read the profit and loss statement and identify red flags
- How to read a balance sheet
- Identifying red flags and where to locate critical information

PART TWO

Business Valuations for Dispute Purposes

The expert business valuer has provided you with their report and you can see their determined value but what is the remaining content of the report actually saying and how did they get to their value?

Throughout the second part of the workshop you will examine:

- Processes that a business valuer will follow to arrive at their determination of valuation and discuss in detail
- The application of the various valuation methodologies that they could have applied
- The information they should have considered

PART THREE

How to Identify Signs of Potential Distress or Insolvency in the Financial Statements

When assessing whether a business is suffering from distress, or at risk of insolvency, there are different approaches and analysis that can be used. This session will highlight how critical it is that management monitors financial performance and the overall health of the business to identify areas of concern. We'll also discuss the importance of working with key partners / advisors to implement appropriate strategies and ensure debts can be paid as and when they fall due.

Your facilitators for this workshop are:

Kellie Badge, Director, Forensic Solutions; Business Valuation Specialisation CAANZ and

David Ferrier, Director, Forensic Solutions

Andre Lakomy, Partner, AL Restructuring

ONLINE ONLY ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT FOR SMALL PRACTICE AND SOLE PRACTITIONERS



TUESDAY, 5 MARCH 2024
11.00AM TO 2.15PM

\$420
WEB243V03Z

Join us to gain your compulsory CPD units with topics tailored for small practice or sole practitioners. Hear tips on how to ensure that you are maximising the financial potential of your practice as well as the value on succession. Learn what you need to know about SMSFs and about the impacts of recent superannuation reform measures. Understand how you can change your mindset on WHS to create a safer workplace.

Chair: **Amanda Comelli**, Partner, Brown Wright Stein Lawyers; NSW Accredited Specialist in Business Law

✔ Practice Management & Business Skills

The Critical Importance of Profitability for Financially Healthy Small Practices

- The Multiple Bottom Lines
 - More “You and Family” time
 - Better professional satisfaction & financial rewards
 - Better Liquidity and Reduced stress
 - Greatly improved practice value on succession

Presented by **Rob Knowsley LLB**, Legal Practice Improvement Advisor, Lawyers' Mentor, Principal at Knowsley Management Services

✔ Professional Skills

Understanding SMSFs and Superannuation

- SMSF: how to set up, responsibilities associated with, tax, benefits and downfalls of SMSF
- Superannuation and interplay with Wills and EPOA
- Property acquisition by a SMSF with limited recourse borrowing
- Explore the complexities of related party loans
- Discuss the impact of recent superannuation reform measures

Presented by **Tracey Norris**, Director, Pitcher Partners; Accredited SMSF Specialist; Fellow of the Institute of Chartered Accountants in Australia and New Zealand and **Bec Nipperess**, Senior Manager, Pitcher Partners

✔ Ethics and Professional Responsibility

Moving From an “Avoiding Liability” Approach to a Work Place Health and Safety “Risk Identification and Management” Approach.

With the implementation of:

- New workplace health and safety (WHS) codes of practice in 2023 in many Australian jurisdictions which set out the proactive steps law firms need to take to manage the psychosocial hazards in the workplace; and
- The Respect @ Work changes which impose a positive duty to eliminate discrimination, sexual harassment and victimisation; and
- Law firms, and lawyers can no longer afford to only take reactive steps to avoid possible liability. Their ethical obligations as a lawyer requires more.
- This session seeks to inform legal practices of what they need to do to ensure a firm is discharging their duties under the WHS Laws and considers why under these WHS Laws and a solicitor's ethical obligations legal practitioners need to ensure proactive steps are taken to eliminate risks to health and safety at work and to others.

Presented by **Gemma Sharp**, Special Counsel, Cooper Grace Ward



**GAIN ALL
YOUR 3 CPD
CORE AREAS**

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive law

ATTEND AND EARN

3 CPD UNITS

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



**WEDNESDAY, 6 MARCH 2024
6.00AM TO 10.15AM**

**\$795
WEB243Q06Z**

Gain your annual commercial litigation insights in a variety of areas from leading Senior Counsel, counsel, accredited specialists, and other experts on insolvency, defamation, ESG, and breach of contract. Tailored for practicing litigators, earn all your CPD points mastering the ethics of briefing expert witness briefing, examining why litigation funding might be a costing option & learn how to plead & prove loss of opportunity damages.

**SESSION 1: YOUR ANNUAL UPDATE ON IMPORTANT AREAS OF
COMMERCIAL LITIGATION**

6.00AM TO 10.15AM \$505 WEB243Q06AZ

Chair: **Michael Lawrence**, Barrister, Murray Gleeson Chambers

Recovering Assets from a Bankrupt's Estate and Trusts: Recent Case Update

- Recap on some of the most common avenues for recovering assets from or for a bankrupt's estate or from a trust
- Gain a briefing on some relatively recent cases relating to the ability to recover assets from or for a bankrupt's estate and from a trust
- Discuss the matters to be conscious of, or address, when seeking to recover from a bankrupt estate or a trust

Presented by **Alicia Hill**, Principal, Sladen Legal; Accredited Specialist in Commercial Litigation

Defamation Law Update

Gain an analysis and reflection of important recent cases and key issues for practitioners including in relation to the:

- Application of the new mandatory concerns notice requirements,
- The serious harm threshold,
- The public interest defence,
- The status of the Stage 2 reforms to the Model Defamation Provisions

Presented by **Kieran Smark SC**, 153 Phillip Barristers

Environmental, Social and Governance (ESG) for Commercial Litigators

- Evolving areas of liability, including:
 - Social: modern slavery, diversity, human rights sanctions
 - Environmental: climate change litigation, environmental impacts
 - Governance: directors' duties in relation to data protection, anti-bribery and corruption laws
- Consumer law impacts and addressing reputational risk
- Navigating the complex regulatory environment, including the focus on whistleblowing and greenwashing

Presented by **Sarah Davies**, Director, Sarah Davies Legal; Accredited Specialist in Commercial Litigation

A Guide to Damages for Breach of Contract: Strategies and Recent Updates

Presented by **Steven Brown**, Chairman, Etienne Lawyers; Accredited Specialist in Business Law

A Word from a Valuer on Assessing Damages

Presented by **Wynand Mullins**, Senior Managing Director and **Michael Kanan**, Senior Director, FTI Consulting

**SESSION 2: ETHICS, PROFESSIONAL SKILLS AND PRACTICE
MANAGEMENT FOR COMMERCIAL LITIGATORS**

11.00AM TO 2.15PM \$420 WEB243Q06BZ

Chair: **Darrell Kake**, Partner, Longton Legal; Accredited Specialist in Commercial Litigation

Ethics & Professional Responsibility

Briefing Expert Witnesses (Without Telling Them What to Say)

- Rules governing the briefing of experts
- Admissibility of opinion evidence
- Are draft reports and communications privileged?
- Is it ever permissible to assist an expert draft their report and, if so, how far is too far?
- Case study: *New Aim Pty Ltd v Leung* [2023] FCAFC 67

Presented by **Brian Rom**, Special Counsel, HWL Ebsworth

Practice Management & Business Skills

Litigation Funding as a Costing Option

- How it works, how to go about to get it and criteria for getting funding
- What information do Funders need to assess an application for funding
- Sort of claims are Funders prepared to fund
- Who can use it: inhouse counsel, insolvency practitioners, members of the public

Presented by **Vicky Antzoulatos**, Joint Head of Class Actions, Shine Lawyers and **Kim May**, Senior Investment Manager, CASL Management Pty Ltd

Professional Skills

How to Plead and Prove Loss of Opportunity Damages

Gain an overview of the special requirements to plead and prove loss of opportunity damages in different jurisdictions, tracing the development of the law from *Sellars v Adelaide Petroleum* (1994) to more recent practice decisions.

Presented by **Matthew Jones**, Barrister, Level Twenty Seven Chambers

“One of the best online seminars I've seen in the last 2 years”

“Well organised speakers who were knowledgeable and put a lot of work into presentations”

ATTEND THE FULL DAY AND EARN

7 CPD UNITS

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

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

ONLINE ONLY IN-HOUSE COUNSEL CONFERENCE: MANAGING RISK



WEDNESDAY, 6 MARCH 2024
6.00AM TO 2.15PM

\$795
WEB243N09

As in-house counsel you need to navigate an ever growing list of legal, governance and commercial risks. So join us for a day of invaluable insights into navigating these. Examine critical issues that are concerning many of your colleagues such as data privacy and cybersecurity, insolvency risks, greenwashing and managing the transfer of risk. Additionally, delve into managing psychosocial hazards, defining your role as in-house counsel, and your duties of both confidentiality and legal professional privilege. Gain exceptional knowledge and skills all in one day.

SESSION 1: NAVIGATING RISKS IN THE IN-HOUSE COUNSEL WORLD

6.00AM TO 10.15PM \$505 WEB243N09A

Chair: **Steve Blinkhorn**, Director Legal Affairs, Australian Banking Association

✔ Practice Management & Business Skills

Data Privacy and Cybersecurity

Gain practical strategies for effective privacy compliance and cybersecurity in light of Australia's evolving laws and international developments.

- Key takeaways for inhouse counsel from the Optus, Medibank, Latitude and HWL Ebsworth data breaches
- How to improve regulatory compliance for privacy, cybersecurity and record-keeping requirements with data minimisation and disposal obligations
- How to effectively comply with evolving cybersecurity regulations and emerging AI and ESG requirements
- Practical strategies for inhouse counsel to get buy in across organisational silos to improve privacy compliance and information security
- Resolving the tension between privacy compliance with AI and technology through integrated information governance

Presented by **Susan Bennett**, Principal, Sibenco Legal & Advisory, Founder and Director, InfoGovANZ

Insolvency Risks: Updates & Guidance for In-House Counsel Operating in the Current Market

- The latest legal, legislative and market updates on insolvency
- The indicators of insolvency to beware of
- Key risks & considerations when dealing with other companies in financial distress
- Tips and Traps for in-house counsel operating in a down market
- Risks to creditors of claims from liquidations: unfair preferences and more

Presented by **Mark Addison**, Consulting Principal, Keypoint Law

Greenwashing: Responsibilities and Risks for In-House Counsel

- What really is "greenwashing"?
- Key legal risks under the Australian Consumer Law and other legislation
- Current regulator enforcement priorities
- Key enforcement trends and activity in relation to greenwashing

Presented by **Martyn Taylor**, Partner, Norton Rose Fulbright Australia and **Zoe Lonard**, Special Counsel, Norton Rose Fulbright Australia

Risk Management and Risk Transfer

Presented by **Andrew Gray**, Partner, HWL Ebsworth Lawyers

SESSION 2: ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT FOR IN-HOUSE COUNSEL

11.00AM TO 2.15PM \$420 WEB243N09B

Chair: **Judy Tomas**, GM Commercial, Contracts and Compliance, Mission Australia Housing

✔ Practice Management & Business Skills

Managing Psychosocial Hazards at Work

- Identifying psychosocial hazards and assessing the risks
- What psychosocial hazards are
- Common psychosocial hazards
- How they can arise
- Responding to and managing those risk in the workplace
- How risks can be identified
- Responding to risks: responding to individual issues as well as issues that are identified
- The regulatory environment: the risks and why these matters need to be addressed
- Explaining the positive duty under WHS legislation and FWA and the duties owed

Presented by **Lucy Shanahan**, Partner, Kingston Reid; recommended Lawyer in Employment *Doyles Guide* 2021

✔ Professional Skills

In-House Counsel: Defining Your Role

Presented by **Olga Ganopolsky**, General Counsel – Privacy and Data, Macquarie Group Limited; Chairperson, Business Law Privacy Sub-Committee, Law Council of Australia

✔ Ethics & Professional Responsibility

The Difference Between the Duty of Confidentiality and Legal Professional Privilege

Presented by **Phoebe Arcus**, Barrister, 5 Wentworth Chambers

ATTEND THE FULL DAY AND EARN

7 CPD UNITS

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

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



WEDNESDAY, 6 MARCH 2024
9.00AM TO 5.15PM

\$795
243W01

Join us for an in-depth program to elevate your skills and knowledge in estate disputes and planning. Gain insights into effective estate dispute and litigation, from setting up an originating process to applying for Estoppel and Constructive Trusts and applying for Judicial Advice. Learn management strategies for estate plans involving company constitutions, financial statements and foreign assets, and blended families. Do not miss this comprehensive seminar that will equip you for the year ahead.

SESSION 1: WILLS & ESTATES DISPUTES & LITIGATION

9.00AM TO 1.15PM

\$505

243W01A

Chair: **Ann Spencer**, Barrister, Francis Burt Chambers; Leading Wills & Estates Litigation Junior Council – Western Australia, *Doyle's Guide 2023*; Leading Wills & Estates Litigation Junior Council – Western Australia, *Doyle's Guide 2022*

Originating Process: Setup for Success

- Legislative requirements and case studies pertaining to various types of wills & estates disputes
- Best practices and procedures for pleadings, particulars and amendments

Presented by **Maree van der Kwast**, Director, Dwyer Durack; Leading Wills & Estates Litigation Lawyer – Western Australia, *Doyle's Guide 2023*

Family Businesses, Estoppel and Constructive Trusts in Estate Litigation

With the great wealth transfer now in full swing, litigated estates are growing exponentially, in number, in value, and in complexity.

A significant number of these litigated estates involve a family business or shared enterprise, resulting in disputes about who contributed what. This seems to be most prevalent amongst rural families, leaving us asking the all-important question: 'Who gets the farm?'

You will explore common claims against estates containing a family business, with a focus on:

- Estoppel
- Constructive trusts
- Case preparation for solicitors and barristers
- Pitfalls, and how to avoid them

Presented by **Morgan Solomon**, Director, Solomon Hollett Lawyers; Leading Wills & Estates Litigation Lawyer – Western Australia, *Doyle's Guide 2023*; Leading Wills, Estates & Succession Planning Lawyer – Western Australia, *Doyle's Guide 2023* and **Damon Van Kempen**, Barrister, Francis Burt Chambers

Trust and Estate Disputes with Cross-Border Dimensions

- The different concepts of property in the international context
- Domicile and proper law of trusts and estates
- Jurisdiction with respect to trusts, estates and Family Provision claims
- Relevant international conventions
- Arbitration in trust and estate matters

Presented by **Brendan Ashdown**, Barrister, John Toohey Chambers; Recommended Wills & Estates Litigation Junior Counsel – Western Australia, *Doyle's Guide 2023*; Recommended Family Law Junior Counsel – Western Australia, *Doyle's Guide 2023*

Application for Judicial Advice

- Unpacking its historical origins and purposes
- Procedure and best practice(s) for successful application
- Recent examples

Presented by **Peter Nevin**, Partner, Taylor Smart; Recommended Wills & Estates Litigation Lawyer – Western Australia, *Doyle's Guide 2023*

SESSION 2: ESTATES PLANNING & ASSET PROTECTION

2.00PM TO 5.15PM

\$420

243W01B

Chair: **Robert Nash**, Barrister, Francis Burt Chambers; Recommended Wills & Estates Litigation Junior Council – Western Australia, *Doyle's Guide 2023*

Foreign Assets: Strategies for Bulletproof Protection

- Ascertaining the domicile of the Testator
- Testing the nature and location of global assets
- Developing a global, collaborative, estate plan, including consideration of tax outcomes
- Multiple Wills, a local Will or an International Will?
- Consider non-estate assets and global succession planning
- Importance of regular review and other tips and traps to avoid

Presented by **Lee-Ann Cartoon**, Principal, Succession Solutions Perth; Recommended Wills, Estates & Succession Planning Lawyer – Western Australia, *Doyle's Guide 2023*

Considerations for Company Constitutions and Financial Statements in Estate Planning

- Verifying asset ownership
- Identifying and dealing with beneficiary loan accounts
- Ensuring continuity of management and decision-making of private companies between date of death and grant of probate
- Achieving workable succession plan for future management and control of private companies including corporate trustees on death of client
- Utility of governance deed / tailored constitution as part of plan to pass control of family trust and promote representation and equity in future decision-making
- Corporate SMSF trustee and successor directors

Presented by **Sally Bruce**, TEP, Partner, Succession + Estate, Jackson McDonald; Preeminent Wills & Estates Litigation Lawyer – Western Australia, *Doyle's Guide 2023*; Preeminent Wills, Estates & Succession Planning Lawyer – Western Australia, *Doyle's Guide 2023*

Holistic Estate Planning in the Context of Blended Family

- What are the unique challenges of creating a will in a blended family and how to overcome them to prevent future conflicts
- Exploring legal structures such (e.g. discretionary testamentary trusts, mutual wills, binding financial agreements, and binding or non-binding nomination forms) to ensure assets are properly handled
- Additional considerations

Presented by **Karolina Rzymkowska**, Director, Perth Legal Collective; Recommended Wills & Estates Litigation Lawyer – Western Australia, *Doyle's Guide 2023*

ATTEND AND EARN

7 CPD UNITS

7 CPD units in Substantive Law

SETTLING LITIGATION PRACTICE



WEDNESDAY, 6 MARCH 2024
9.00AM TO 1.15PM

\$505
243W03

"Better to settle" ... but make sure your settlement is watertight and tax effective. Solving litigation disputes starts from the initial settlement offers and without prejudice communications through to crafting of watertight agreements. Obtain a best practice guide to ensure that your settlement accurately reflects the agreement, plus a roundup of tax implications from its terms. Investigate when it's possible to reopen a settlement and best steps to enforce an agreement.

Chair: **Anthony Willinge**, Barrister, Murray Chambers

Settlement Offers and Without Prejudice Communications

- Calderbank offers and formal offers of compromise
- Cost consequences of rejecting settlement offers
- The 'without prejudice' rule and its scope

Presented by **Eu-min Teng**, Special Counsel, McComish Legal

Effective Settlement Agreements: Tips and Traps

- Components and structure
- Utility of recitals
- Indemnity, and releases / waivers
- Consequences of breach where agreements are subject to court orders
- Ethical considerations?

Presented by **Pat Saraceni**, Director, Litigation and Dispute Resolution, Clifford Chance

Considering Tax and GST Issues in Settlements

- GST on settlements
- CGT on settlements
- Duty on settlements
- PAYG and SGC consequences of settlements

Presented by **Matthew Crowley**, Barrister, Francis Burt Chambers

Exploring the Grounds to Reopen a Settlement Agreement and Enforcement Options

- What is the Court's discretion under section 73 of the Civil Procedure Act 2005 and when will it be exercised?
- When will separate enforcement action be justified or required?
- What is required when acting for an initiating party or defending party in proceedings under section 73 or separate enforcement proceedings?

Presented by **Jessica Henderson**, Barrister, Murray Chambers

CONTRACT DISPUTES AND LITIGATION FORUM



WEDNESDAY, 6 MARCH 2024
2.00PM TO 5.15PM

\$420
243W02

This 3-hour forum led by top contract litigation experts, will dive deep into the three crucial areas of contract disputes and litigation; unpack strategies for minimising contractual disputes, repudiation, termination and damages plus, get skilled-up in arbitration with all the tips and traps to assist you. All while you earn your CPD units along the way.

Chair: **Professor Stephen Owen-Conway KC**, Sir Lawrence Jackson Chambers

Lessons Learned: Minimising the Risk of Contractual Disputes

Tom will discuss the various methods and means of minimising the risks of contractual disputes, drawing upon his 30 years' experience in managing disputes.

Presented by **Thomas Jacobs**, Partner, Jackson McDonald; *Best Lawyers* 2023, Alternative Dispute Resolution & Construction/Infrastructure Law

Repudiation, Termination and Restitution

- Determining the trigger for contract termination
- Exploring common law and express termination rights
- Examining the implications of contract termination
- Understanding loss of bargain damages
- Analysis of the different methods applied to measure damages in commercial transactions
- Rights and entitlements upon termination
- The concept of 'quantum meruit'
- Recent legal precedents

Presented by **Dr David Cox**, Barrister, Francis Burt Chambers

Professional Skills

Making ADR Decisions: Certainty and Outcomes

- Effective case preparation
- Succeeding in the ADR process
- Mediation: At what point?
- Do's and Don'ts when mediating
- Strategies for compelling advocacy

Presented by **Clare Thompson SC**, Barrister, Francis Burt Chambers



**ANNUAL CPD
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10 CPD POINTS**

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4 CPD UNITS

4 CPD units in Substantive Law

ATTEND AND EARN

3 CPD UNITS

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



THURSDAY, 7 MARCH 2024
7.30AM TO 6.30PM

\$990
243W04

Your last chance to square away 10 CPD points in ONE DAY, before the 31 March deadline! Don't fret if you've left it to the last minute – we've got you covered. Join us for an intensive, one-day CPD marathon covering 10 crucial areas of law, from ethics and professional skills to practice management. Secure your spot now before it's too late and ensure you're fully compliant by the deadline.

SESSION 1: FAMILY LAW AND WILLS & ESTATES FOR ALL LAWYERS

7.30AM TO 10.30AM **\$420** **243W04A**

Chair: **Laurence Iffla**, Partner, Iffla Wade

Recent Family Law Cases: Key Insights for Lawyers

Gain a concise summary of some significant family law cases, ensuring you stay informed and well-prepared to navigate the complexities of your practice

Presented by **John Butler**, Director, Butlers Lawyers & Notaries

Trusts and the Estate Plan

- Inter vivos and testamentary discretionary trusts, their commonalities and differences
- Interaction as between trust and personal assets
- Potential pitfalls where estate planning exercise does not adequately consider trust assets

Presented by **Lee-Anne Cartoon**, Principal, Succession Solutions Perth

The Rise and Rise of Will Disputes

- Family provision claims and will challenges
- Why they are growing
- Why they will continue to grow
- What can you and your firm do about them.
- Tips to deal with them and common traps to avoid

Presented by **Morgan Solomon**, Director, Solomon Hollett Lawyers

SESSION 2: ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT FOR ALL LAWYERS

10.45AM TO 1.45PM **\$420** **243W04B**

Chair: **Nicholas Murfett**, Director, Murfett Group

✔ Practice Management

Solicitor and Client Costs: A Review of Recent Decisions and the Likely Impact on Costs Assessments in Western Australia

- Review of recent case law from New South Wales and Victoria
- How the decisions may impact costs assessments in Western Australia
- How best to manage the solicitor and client relationship when costs issues arise

Presented by **Amy Pascoe**, Director, Pascoe Legal

✔ Professional Skills

When Everything is Not my Fault, yet I'm Still to Blame: Dealing with Difficult or Unreasonable Clients

- Red flags
- Ethical obligations
- Expectation setting
- Setting boundaries
- Where to get help

Presented by **Kim Morrison**, Consultant, O'Sullivan Davies

✔ Ethics and Professional Responsibility

Your Ethical Obligations for Wellbeing

Presented by **Dr Colin Huntly**, Barrister, Murray Chambers

SESSION 3: COMMERCIAL, PROPERTY AND EMPLOYMENT FOR ALL LAWYERS

2.15PM TO 6.30PM **\$505** **243W04C**

Chair: **Elspeth Hensler**, Barrister, Francis Burt Chambers

Dealing with Regulators and Regulations

- Dealing with regulatory inquiries, from investigation to litigation
- Discuss issues which commonly arise, and issues to look out for
- Lessons from recent examples

Presented by **Sam Pack**, Barrister, Francis Burt Chambers

Counter-Factuals and Claims for Loss of Opportunity

- Claims for loss of opportunity arise in many areas of commercial law claims. The legal principles continue to evolve. This presentation considers
- Application of the principles in the context of misleading conduct, contract and tort claims
- Valuing lost causes of action
- Causation requirements
- Pleading aspects
- Issues of proof
- Recent cases

Presented by **Richard Price**, Barrister, Frances Burt Chambers

Recent Developments in Property Law

Join an experienced practitioner as you analyse the most critical property cases over the last 12 months. You will gain perspective on key facts in each, the important takeaways, and the potential impact on your clients and your practice.

Presented by **Joel Yeldon**, Barrister, Fourth Floor Chambers

New Employer Positive Duties to Eliminate Sex Discrimination and Sexual Harassment in the Workplace

Late last year amendments were made to the Sex Discrimination Act 1984 (Cth), which created a new legal obligation on employers to prevent sexual harassment and sex discrimination in the workplace. Further, the Australian Human Rights Commission will shortly have the power to investigate non-compliance with the new positive duty, with a raft of new powers to enforce compliance.

- Explore the new obligation, powers for compliance, and best practice initiatives to be implemented into Australian workplaces.

Presented by **Natasha Leedman**, Principal – Natasha Leedman, Specialist Workplace Lawyer & Consultant



GAIN ALL 10 POINTS IN ONE CONVENIENT DAY SESSION

including all your compulsory CPD units.

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7 CPD units in Substantive Law
 1 CPD unit in Ethics & Professional Responsibility

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

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ONLINE ONLY

STATUTORY INTERPRETATION INTENSIVE: FROM BASICS TO ADVANCED TECHNIQUES



THURSDAY, 14 MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243V09

Gain a strong foundation in statutory interpretation including differing interpretation approaches, statutory requirements and key aids plus a practical workshop to cement your understanding. Delve into real-world cases for critical practical insights. Engage in practical problem-solving activities to advance your skills. Leave understanding the intersection of statutes, common law and equity, providing a holistic perspective. Benefit from this event to enhance your legal expertise and practical problem-solving skills.

Chair: **Dan Star KC**, List A Barristers

Statutory Interpretation Essentials and Recent Case Updates

- The contemporary approach to statutory interpretation
- Statutory requirements
- Aids to interpretation
- Legal assumptions
- Recent illustrative cases

Presented by **Cahal Fairfield**, Barrister, Chapman's List Barristers

Advanced Statutory Interpretation

- Presumptions of construction
- Commonwealth, State and Territory constitutions and statutory interpretation
- Amendments and repeals
- Commencement and duration
- Nature and validity of subordinate legislation and instruments made under statute
- Non-legislative instruments

Presented by **Alanna Mitchell**, Partner, Maddocks

Interpreting Statutes in the Context of Equity and the Common Law

- Exploring the entanglement between statutes, common law and equity

Presented by **Emrys Nekvapil SC**, List A Barristers

Practical Interactive Problem-Solving Workshop

- Engaging in a practical exercise to tackle various statutory problems, with opportunities for interactive discussion and commentary
- Offering contemporary legal cases with diverse judicial viewpoints to foster constructive discussion
- Exploring common words and phrases used in statutes and their interpretation
- Identifying common pitfalls in statutory interpretation

Presented by **Peter Hanks KC**, List G Barristers and **James Stoller**, Barrister, Foley's List

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Professional Skills



FRIDAY, 8 MARCH 2024
9.00AM TO 5.15PM

\$795
243W07

What are you looking for from CPD? Updates? Insights? Subject matter experts sharing wisdom? Look no further. Hear about the latest in workers compensation and abuse law, claims involving multiple injuries at work and obtain guidance on assessing the merits of a medical negligence compensation claim plus bespoke presentations for personal injury lawyers on ethics, professional skills and practice management

SESSION 1: PERSONAL INJURY LAW ROUNDUP

9.00AM TO 1.15PM **\$505** **234W07A**

Chair: **Dr Rob Guthrie**, recently retired Assessor Criminal Injuries Compensation and Adjunct Professor at School of Business Law, Curtin University

Workers Compensation & Injury Management Act 2023

- Eligibility criteria to access statutory benefits
- Exclusions
- Transitional provisions
- Regulations

Presented by **Rebecca Sorgiovanni**, Partner, Soul Legal

Claims Involving Multiple Injuries at Work

- When is it considered more than one "injury"
- Consequential injuries/conditions and overuse
- Disease cases
- Multiple injuries in work injury damages claims

Presented by **John-Paul Wilson**, Principal, Gilchrist Connell; Recommended Workers Compensation Lawyers (Defendant) and Public & Product Liability Lawyers (Defendant) *Doyles Guide 2023*

Interlocutory Skirmishes in Abuse Law

- Getting leave
- Suppressing evidence
- The plaintiff who dies

Presented by **Asanka Gunasekera**, Barrister, Francis Burt Chambers

Preparation and Assessment in Medical Negligence Cases

- Taking instructions from the client in a medical negligence case
- Working with medical experts to establish causation, breach and severity of the medical injury
- Pleadings in medical negligence cases: exploring the fundamentals of good pleadings with the use of case studies

Presented by **Neil Morrissey**, Barrister, Albert Wolf Chambers; Preeminent Insurance & Personal Injury Law Barristers *Doyles Guide 2023*

SESSION 2: ETHICS, PRACTICE MANAGEMENT AND BUSINESS SKILLS AND PROFESSIONAL SKILLS FOR PERSONAL INJURY LAWYERS

2.00PM TO 5.15PM **\$420** **233N07B**

Chair: **Graham Droppert SC**, Albert Wolf Chambers; Leading Insurance & Personal Injury Law Barristers *Doyles Guide 2023*

Practice Management

Managing Psycho-Social Risks in the New Legislative Environment

Blurb: Mental health and wellbeing is now recognised as a central requirement to be an employer of choice and have a productive workplace with a workplace culture fit for purpose in 2023 onwards.

- What are psycho-social hazards?
- How do you assess and manage psycho-social risks?
- What does the law require an employer to do when dealing with psycho-social risks?
- Practical ways of managing psycho-social risks in the workplace
- Practical ways to deal with psycho-social risks for employees working from home
- The approach of WorkSafe WA to dealing with psycho-social risks
- Recent cases on how judicial officers treat breaches of the WHS legislation

Presented by **Maria Saraceni**, Barrister, Francis Burt Chambers, Recommended Employment & WHS Barristers, *Doyles Guide 2023*

Professional Skills

Impairment Assessment 101

- Impairment vs disability
- WA guides vs AMA guides
- WPI vs Schedule 2

Presented by **Dr Neil Ozanne**, Consultant Occupational Physician

Ethics and Professional Conduct for Personal Injury Lawyers

Ethics for Personal Injury Lawyers including the Role of Counsel:

- You suspect your client is not being open and honest
- Your client demands you do something in an ethically grey area
- Ethics in witness preparation
- The case is settled....or is it?
- Lessons in clear negotiations
- Does briefing counsel absolve you from professional responsibility?
- The role of counsel

Presented by **Roger Sands**, Barrister, Arundel Chambers



GAIN 7 CPD UNITS

Including all of your compulsory CPD units!

ATTEND AND EARN

7 CPD UNITS

4 CPD points in Substantive Law
 1 CPD point in Practice Management

1 CPD point in Professional Skills
 1 CPD point in Ethics or Professional Responsibility



FRIDAY, 8 MARCH 2024
9.00AM TO 5.15PM

\$795
243W08

SESSION 1: FAMILY LAW KEY ISSUES		
9.00AM TO 1.15PM	\$505	243W08A

Natalie Kam, Partner, McDonald Jackson; Accredited Specialist in Family Law; Recommended Family Law & Divorce Lawyers, *Doyle's Guide 2023*

NEW FAMILY LAW BILL AND ITS PRACTICAL APPLICATION

Family Amendment Bill: An Impact Study - Practical Insights Following the Introduction of the New Legislation

This session will address what practitioners need to know about the impact of the legislative amendments on Property and Arbitration matters and provide practical suggestions to adopt to integrate the changes seamlessly into your practice.

Presented by **Jorja Brady**, Partner, Lavan; Accredited Specialist in Family Law; Recommended Family & Divorce Lawyers, *Doyle's Guide 2023*

Third Party Property Matters

- When to join and when not to join a third party
- How to deal with an unwelcome third party
- Common scenarios including loans from parents and family companies as well as arm's length third parties

Presented by **Heinrich Moser**, Barrister, Stephen Thackray Chambers

Forum non Inconvenience and Clearly Inappropriate Forum Arguments

Presented by **Rodney Worth**, Barrister, John Toohey Chambers

Assets are Lost or Disposed of Prior to Hearing: Principles of Kowaliw

Presented by **Framy Browne**, Partner, Lavan, Leading Family & Divorce Lawyer, *Doyle's Guide 2022*

SESSION 2: ETHICS, PRACTICE MANAGEMENT & PROFESSIONAL SKILLS FOR FAMILY LAWYERS		
2.00PM TO 5.15PM	\$420	243W08B

✔ Ethics & Professional Responsibilities

How the Pre-action Procedures Add to the Ethical Obligation in Negotiation and Mediation

Presented by **Kym Kerr**, Partner, Mills Oakley; Accredited Specialist in Family Law; Preeminent Family & Divorce Lawyer, *Doyle's Guide 2023*

✔ Practice Management & Business Skills

Costs in Family Law Matters: Insights on the Uniform Act over the Last 18 Months

- Overcharging purpose and it bites
- Uniform law changes everything

Presented by **David Garnsworthy**, Barrister

✔ Professional Skills

Recent Developments with Small Property Cases and Options to resolve Large Property Cases

- The new procedures for Small Cases
- The options for Large cases including
- Mediation
- Arbitration
- Hybrids
- Rent a Judge

Presented by **John Butler**, Principal, Butlers Lawyers & Notaries; Recommended Family & Divorce Lawyer, *Doyle's Guide 2023*



**GAIN ALL
YOUR 3 CPD
CORE AREAS**

ATTEND AND EARN 7 CPD UNITS

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

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

ONLINE ONLY

FAMILY LAW: ESSENTIAL CONCERNS IN FINANCIAL MATTERS



THURSDAY, 14 MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243V12Z

All the difficult issues examined: the current Courts approach to assessment of contributions during short relationships and the essential question of is it property or a financial resource and its implications. Gain practical skills relating to how to deal with non-disclosure in financial cases and the key to achieving best outcomes in mediation and conciliation of financial matters as it requires different skills.

Chair: **Claire O'Connor SC**, Villeneuve Smith Chambers

The Assessment of Contributions During Short Relationships

- The current court approach to assessing contributions in short relationships of approximately 5 years duration
- How the court approaches those matters differently where there are children of the relationship
- How the court approaches those matters where the parties have entered the relationship later in life
- The impact of initial contributions during those short relationships

Presented by **Gabriella Houry**, Partner, Pearson Emerson, Accredited Specialist in Family Law

Is it Property or is it a Financial Resource?

- What is a financial resource – legislation and caselaw?
- When is an interest in trust a property and not a financial resource?
- Examples of financial resources
- What evidence should be put to the court when running a property vs financial resource argument

Presented by **Bronia Tulloch**, Barrister, Foley's List

✓ Professional Skills

Consent Order Applications in Relation to Finances and Property – How to Get Them Through Without Being Requisitioned? Tips and Traps

Presented by **Deputy Registrar Hannah Vickers**, National Manager – Deputy Registrars, Federal Circuit and Family Court of Australia

✓ Professional Skills

How to Deal with Non-disclosure in Financial Cases

- Principles and processes with respect to disclosure
- Educating the client and dealing with the errant client
- Solicitors' duties and dealing with a 'Dark Knight'
- Third party disclosure, subpoenas and costs consequences
- Confidentiality and disclosure when engaging 'shadow experts' and other professional advisors

Presented by **Jim Mellas**, Barrister Foley's List; Recommended Family Law Junior Counsel and Recommended Parenting & Children's Matters Junior Counsel, *Doyle's Guide 2023*

✓ Professional Skills

Preparing Property Cases for Mediation & Conciliation Conferences

- Why is a mediation different to a trial
- What are the key documents to prepare
- Refining the balance sheet
- Accessibly articulating your client's case in a case outline/position paper
- Managing client expectations to increase opportunities for resolution

Presented by **Mark MacDiarmid**, Principal, Mark MacDiarmid Family Law Specialists; Accredited Specialist in Family Law; Accredited Mediator and Family Dispute Resolution Practitioner

ONLINE ONLY

FAMILY LAW: SMSFS, LOANS AND TAX



TUESDAY, 27 FEBRUARY 2024
11.00AM TO 2.15PM

\$420
WEB242N14Z

Learn how to identify the main SMSF issues in family law settlements, so you can recognise a red flag when it arises in your settlements and takeaway a practical understanding of the critical issues to consider when approaching SMSF splitting. Understand potential Division 7A issues and tax implications for 3rd party loans arising in family law settlements and finally, hear what other tax implications, other than Div 7A, arise when divorcing a spouse from a company or a trust.

Chair: **Susan Pearson**, Partner, Pearson Emerson; Accredited Specialist in Family Law; Collaborative Lawyer; Leading Family & Divorce Lawyer, *Doyle's Guide*

SMSFs: What are the Issues?

- Splitting issues which are unique to SMSFs
- What to do with large assets
- Protecting your client
- Financial statements: red flag issues

Presented by **Peter Crump**, Senior Consultant, Private Wealth, BDO Australia

Division 7A and 3rd Party Loans: Implications for Property Settlements, Opportunities or Difficulties

- What are they?
- Tax considerations
- What loans will be recognised by the courts?
- Case law review
- Practical guidance/suggestions

Presented by **Warwick Gilbertson**, Partner, Turnbull Hill Lawyers; Accredited Specialist in Family Law

Divorcing a Spouse from a Company or a Trust: Apart from Division 7A, What Are the Tax Issues?

Presented by **Dung Lam**, Principal, West Garbutt; Accredited Specialist in Personal and Business Tax; Member, Taxation Committee of the Business Law Section, Law Council of Australia; Chartered Tax Adviser

ATTEND AND EARN

3 CPD units in Substantive Law

ATTEND AND EARN

3 CPD units in Substantive Law

ATTEND AND EARN

1.5 CPD units in Substantive Law
2.5 CPD units in Professional Skills

ATTEND AND EARN

DRIVING OFFENCES: INDICTABLE OFFENCES AND FORENSIC EVIDENCE



THURSDAY, 7 MARCH 2024
9.00AM TO 12.15PM

\$420
243W05

Join us for an in-depth exploration of cutting-edge advancements reshaping the landscape of driving offences. Delve into the pivotal role of digital technologies in crash investigations and uncover strategies for navigating legal complexities. Presented by industry experts, this seminar offers exclusive insights into the evolving realm of driving offenses and the critical impact of digital innovation on resolving cases and preventing incidents.

Indictable Driving Offences: Safely Navigating the Charges

- Examining the key indictable driving charges: dangerous driving causing harm/death, failure to stop and failure to report
- The technicalities of the legislation
- Key caselaw

Presented by **Katherine Dowling**, Senior Lawyer, Curt Hoffmann & Co; Recommended Traffic & DUI Lawyer, *Doyle's Guide 2023*

✓ Professional Skills

Vehicle Defects, Fraud, Offences, and Crashes with Vehicle Related Crime

- Electronic module downloads: How electronic module data helps detect vehicle defects
- Defects and crashes: analysing real-world defect-related crashes and their connection to driving offenses
- Case Studies: examining instances where electronic module downloads identified defects and resolved driving offences
- Prevention: strategies to prevent defects, driving offenses, and related accidents with a focus on specifics of data and pre-existing vehicle conditions

Presented by **Warren Stevenson**, President, IAATI Australasia, Forensic Services WA

✓ Professional Skills

Digital Technology's Influence on Motor Vehicle Crash Investigations

- Digital technology advancements: an overview of how the latest digital technologies are revolutionizing crash investigations
- Real-world cases: examining cases where digital analysis led to charges being dropped or drivers acquitted
- Police evidence disclosure: discuss the evolving role of digital evidence in driving-related charges and its implications

Presented by **Bob Davey**, Independent Crash Consultant, Motor Vehicle Accident Consultant

ONLINE ONLY 12TH ANNUAL INTELLECTUAL PROPERTY CONFERENCE 2024



FRIDAY, 8 MARCH 2024
6.00AM TO 2.15PM

\$795
WEB243N13

The advent of the internet has transformed the way we engage with intellectual property by introducing new challenges in protecting these rights. Join 10 experts as they reiterate the "need-to-know" issues and forward-thinking approaches for managing digital assets, enforcing trade marks and patent rights, and explore with you copyright, AI and intellectual property commercialisation. All plus your ethics, professional skills and practice management in specialist issues and concerns for intellectual property practitioners.

SESSION 1: WHAT'S NEW IN TRADE MARK, PATENT AND COPYRIGHT

6.00AM TO 10.15AM

\$505

WEB243N13A

Chair: **Paula Adamson**, Chief Executive Officer, Wrays

New Media, Copyright and Other Things You Need to Know

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

Patent Rights Enforcement Under Commonwealth Law

Presented by **John Lee**, Partner, Gilbert + Tobin; Recommended Intellectual Property Lawyer – Australia, *Doyle's Guide 2023*; Leading Contentious Intellectual Property Lawyer – New South Wales, *Doyle's Guide 2023*

Protecting Trade Marks and Brand Identity in the Digital Age

Presented by **Rebecca Dunn**, Partner, Gilbert + Tobin; Leading Contentious Intellectual Property Lawyer – New South Wales, *Doyle's Guide 2023* and **Amelia Cooper**, Senior Lawyer, Gilbert + Tobin

Generative A.I.: Copyright or Copywrong?

Presented by **Justine Munsie**, Partner, Addisons; Leading Intellectual Property Lawyer – Australia, *Doyle's Guide 2023*; Preeminent Non-Contentious Intellectual Property Lawyer – New South Wales, *Doyle's Guide 2023*; Leading Contentious Intellectual Property Lawyer – New South Wales, *Doyle's Guide 2023* and **James Lawrence**, Partner, Addisons; Recommended Contentious Intellectual Property Lawyer – New South Wales, *Doyle's Guide 2023*

The Role of Intellectual Property on Medical Innovation

Presented by **Dr Andrew Gregory**, Partner, Sydney Chemistry Team, FB Rice

SESSION 2: ETHICS, PROFESSIONAL SKILLS AND PRACTICE MANAGEMENT FOR INTELLECTUAL PROPERTY LAWYERS

11.00AM TO 2.15PM

\$420

WEB243N13B

Chair: **Sarah Gilkes**, Partner, Hamilton Locke

✓ Practice Management & Business Skills

Trade Mark Strategies and Risk Management Excellence for Safeguarding Your Clients' I.P.

Presented by **Angus Lang SC**, Barrister, Tenth Floor Selborne/Wentworth Chambers; Recommended Intellectual Property Senior Counsel – New South Wales, *Doyle's Guide 2023*

✓ Professional Skills

Understanding the "How to" in Commercialising Intangible Assets

Presented by **Joel Hanrahan**, Managing Director – Global Markets, Everedge Global; Corporate and Intangible Asset Strategy Specialist

✓ Ethics & Professional Responsibility

Navigating the Ethical and Tactical Aspects of I.P. Enforcement

Presented by **Dean Gerakiteys**, Partner, Clayton Utz and **Joel Parsons**, Senior Associate, Clayton Utz; Commercial Litigation & Insolvency Law Rising Star – New South Wales, *Doyle's Guide 2023*

ATTEND THE FULL DAY AND EARN

7 CPD UNITS

4 CPD units in Substantive Law

1 CPD unit in Ethics & Professional Responsibility

1 CPD unit in Practice Management & Business Skills

1 CPD unit in Professional Skills

ATTEND AND EARN

3 CPD UNITS

1 CPD units in Substantive Law

2 CPD units in Professional Skills

6TH ANNUAL CONSTRUCTION LAW: INSOLVENCY, CLAIMS AND DISPUTES



FRIDAY, 8 MARCH 2024
9.00AM TO 1.15PM

\$505
243W09

Is your construction practice ready for the crackdowns on harsh commercial behaviour and unfair contract terms? Attend and explore the scope of ACL regulation and gain insights from recent Security of Payment cases shaking the construction sector. In a climate of rising construction insolvencies, understand the warning signs and risk mitigation strategies. When a false statement has the ability to cost your clients, consider defamation in construction and how best to protect your clients.

Chair: **Scott Ellis, Barrister**, Chartered Arbitrator, Mediator. Francis Burt Chambers

The WA Building and Construction Industry (Security of Payment)

Act: An Update

- Consider the latest developments, and relevant case law regarding the WA Building and Construction Industry (Security of Payment) Act
- Discuss the impact of the SOP Act on the administration; management and consideration of rights and remedies within construction contracts

Presented by **Thomas Jacobs**, Partner, Jackson McDonald

The Scope for the Australian Consumer Law to Regulate Harsh Commercial Behaviour in the Construction Sector: Misleading and Deceptive Conduct, Unconscionable Conduct, and Unfair Contract Terms

- Examine how the expanded Unfair Contracts Terms regime will impact typical construction contract terms and negotiations, and the potential penalties for contravention
- Consider the impact on project disputes and claims
- Consider how misleading and deceptive conduct claims are and can be deployed in project disputes

Presented by **Tom French**, Partner, MinterEllison; Leading Construction & Infrastructure Litigation Lawyer, *Doyle's Guide 2023* and **Penny Bond**, Senior Associate, MinterEllison

Dispute Resolution Clauses in Construction and Infrastructure Contracts

- A how-to guide to drafting a watertight dispute resolution clause
- When do you need or not need a dispute resolution clause?
- Choosing the right dispute resolution method: arbitration vs expert, determination vs ADR vs litigation

Presented by **Simon Davis**, Barrister, Francis Burt Chambers

Managing Insolvency in the Construction Industry

- Current industry and contracting climate
- Early warning signs and commercial considerations
- Managing supply chain risks: price escalation, rise and fall, force majeure
- Mitigating insolvency risks

Presented by **Melissa Koo**, Partner, Squire Patton Boggs; Recommended Construction & Infrastructure Litigation Lawyer, *Doyle's Guide 2023*

Defamation and Other Injurious Statements in the Building and Construction Industry

- Address the elements of defamation and associated causes of action
- Consider liability for and defensibility of injurious statements
- Examine the forms of relief and redress available
- Explore strategies involved in preventing such statements, or preventing wider or enduring and persistent publication of them, especially having regard to the internet

Presented by **Jason MacLaurin SC**, Francis Burt Chambers

ONLINE ONLY ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT, OVER LUNCH, OVER 3 WEEKS



FRIDAY, 8, 15 & 22 MARCH 2024
10.00AM TO 11.00AM

\$420
WEB243N60Z

Struggling to make time for your compulsory CPD units this year? Feeling drained, overwhelmed, and burnt out? You're not alone. That's precisely why this series is designed to offer support, enhance your resilience, foster crucial human skills, and empower you to lead your best life whilst gaining your CPD compulsories.

✔ Ethics & Professional Responsibility

SESSION 1: WHY 'IT WON'T HAPPEN TO ME' IS THE RISKIEST BELIEF IN ETHICS AND PROFESSIONAL RESPONSIBILITY

FRIDAY, 8 MARCH 2024
10.00AM TO 11.00AM

\$160
WEB243N60AZ

D.A.R.E. - Defying Arrogance, Risk, and Ethics

- Unmasking Legal Egos: The Riskiest Belief – Why?
- Diversity, Ethics and Inclusion – The Untold Risk To Your Reputation and Career Progression.
- 3 Practical steps to Inspire others by demonstrating unwavering commitment to ethical excellence, by championing high standards for your peers and clients

✔ Professional Skills

SESSION 2: UNLOCK SUCCESS, HAPPINESS, AND WELLBEING: YOUR PATH TO YOUR BEST LIFE (ALL AREAS)

FRIDAY, 15 MARCH 2024
10.00AM TO 11.00AM

\$160
WEB243N60BZ

RPM – Master Your Life, Master Success (All Areas): Choose Your Path Wisely!

- R Reclaim Control: Unleash Clarity for Unprecedented Happiness, Health, and Success!
- P Poisonous Relationships: Master Hard Conversations To Amplify Connection!
- M Magnetise living your best personal and professional life with 3 small steps!

✔ Practice Management & Business Skills

SESSION 3: "IN CRISIS & UNCERTAINTY: MASTER YOUR EMOTIONS & THINKING TO STAY LASER-FOCUSED WITH 5 PROVEN STRATEGIES!"

FRIDAY, 22 MARCH 2024
10.00AM TO 11.00AM

\$160
WEB243N60CZ

FORCE: Thrive in Crisis and Uncertainty, Unleash Your Potential, and Conquer Your Personal and Professional Life!

- F Face your fears with boldness and reap the goldmine of results
- O Own stress like a pro –even when life throws you curveballs. No excuses!
- R Reign as a confident leader – Leader legends aren't born; they're made.
- C Conquer self-doubt, stop second-guessing yourself, so you thrive with courage
- E Energise your journey to greatness – elevate in crisis and soar beyond your

Presented by **Louise Matthias** is a modern multidisciplinary barrister, an advanced trained mediator, a certified family dispute resolution practitioner, and an arbitrator. Plus, she is Harvard-trained in negotiation, leadership and how to have difficult conversations. She also brings certifications in high performance, emotional intelligence and Brene Brown's Dare to Lead coaching and consulting. Louise brings unique skills and experiences, giving you an unparalleled advantage.

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

ATTEND AND EARN

3 CPD UNITS

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

ONLINE ONLY
**NATIVE TITLE SUMMIT: EXPLORING
CO-MANAGEMENT, MINING, & LEGAL
TRENDS IN AUSTRALIA**



TUESDAY, 5 MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243V02Z

Explore essential legal matters at this advanced-level Native Title event, encompassing the complexities of contemporary issues, practical mediation techniques and insights into the evolving landscape of cultural heritage legal reform. This event also explores the central intersection of co-management and the mining sector. Attend and develop your professional expertise and knowledge in these pivotal areas.

Chair: **Dominic McGann**, Partner, McCullough Robertson; Leading Native Title Lawyer, Project Proponent Representation, *Doyle's Guide 2021*

Professional Skills

Native Title Mediation Tips And Tricks: A Multi-Stakeholder Approach

Discuss the tips and tricks for Native Title Mediation with a panel of experts from a number of Native Title stakeholders. The examination of this multi-stakeholder approach perspective on Native Title mediation will allow you to gain a well-rounded and informed understanding of mediation processes and benefit from diverse expertise and perspectives.

Panellists:

Nerida Cooley, Member, National Native Title Tribunal
Nicola Colbran, Acting Native Title Registrar
Tim Wishart, Principle Legal Officer, Queensland South Native Title Services

Cultural Heritage Reform and Agreement Trends in Australia

- Current State and Territory initiatives
 - Overview of reform efforts
 - Recent agreements and developments
- National trends
 - Key trends in cultural heritage reform
 - Agreements at the national Level

Presented by **Gavin Scott**, Partner, Norton Rose Fulbright; *Best Lawyers 2023*, Leading Individual, Native Title, Chambers Asia Pacific 2013-2023, Band 1 Native Title

Co-Management: Exploring the Intersection of Heritage and Mining

- What is co-management?
- What does co management apply to?
- How can co management further protect heritage and Social Surroundings?
- How will co management be practically implemented?
- How will decisions be made in co management?
- How does co management and the heritage law interact?

Presented by **Kirsty Bennett**, Practice Leader-Commercial and **Richard Bradshaw**, Special Counsel, Johnston Withers Lawyers

Future Acts, the 'Right to Mine' and Infrastructure Facilities

- Review of recent case law in relation to what is and is not a 'right to mine and the implications for the energy and resources industries
- Consideration of what amounts to a 'future act', a 'right' to mine' and an 'infrastructure facility'
- Review of the 'infrastructure facility' process contained in section 24MD(6B) of the *Native Title Act*

Presented by **William Oxby**, Partner, Johnson Winter & Slattery; Leading Lawyer for Native Title, Chambers Asia Pacific Legal 2021-2023

ONLINE ONLY
**MINING LAW FORUM: NATIVE TITLE
COMPENSATION, DISPUTES, AND
NEGOTIATION STRATEGIES**



THURSDAY, 14 MARCH 2024
2.00PM TO 5.15PM

\$420
WEB243W11Z

Examine the topical subject of Native Title Compensation in the mining context plus delve into case discussions for critical practical insights. Learn up-to-date tips for successful negotiations of native Title agreements in mining projects and stay informed about dynamic changes in mining law across different jurisdictions with a mining disputes case update. This event is an opportunity to enhance understanding and effective engagement in mining and resources law.

Chair: **Goran Galic**, Partner, Allen & Overy; *Best Lawyers 2023*, Mining Law, Natural Resources Law

Native Title Compensation in Mining and Resources Law

Overview of Native Title Compensation in a mining context

- Discussion of relevant cases

Presented by **Justin Edwards**, Barrister, Francis Burt Chambers; Leading Native Title Barrister, *Doyle's Guide 2023*

Professional Skills

Tips for Negotiating Win-Win Native Title Agreements in Mining Projects

- Ways to expedite agreements to projects
- Mitigate project risks effectively
- Maximise benefits for both parties: ongoing commercial and cross-cultural future engagement for both parties

Presented by **Marcus Holmes**, Principal, Land Equity Legal

Mining Law Disputes and Case Updates

- Covering dynamic changes in mining law
- Jurisdictions included:
 - Warden's Court
 - Supreme Court/Court of Appeal
 - Federal Court of Australia

Presented by **Mark Gerus**, Barrister, Francis Burt Chambers; *Best Lawyers 2023*, Mining Law, Natural Resource Law, Native Title Law, Litigation, Alternative Dispute Resolution

**Back by
Popular
Demand!**

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Substantive Law
1 CPD unit in Professional Skills

ATTEND AND EARN

3 CPD UNITS

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



WEDNESDAY, 13 MARCH 2024
6.00AM TO 2.15PM

\$795
WEB243N23

With the many layers involved in the creative process, the film and television industry can be a hotbed for legal disputes. This event explores some of the most pressing concerns of the industry, dissecting the implications of artificial intelligence, defamation challenges and positive duty of care on sets and behind the scenes. Examine strategies for successful production while sidestepping related legal pitfalls pertaining to Indigenous rights, the Privacy Act and music copyright.

SESSION 1: COMPLIANCE AND EMPLOYMENT ISSUES IN FILM & TELEVISION: MITIGATING RISKS & LIABILITIES

6.00AM TO 10.15PM \$505 WEB243N23A

Chair: **Sonia Borella**, Principal, Borella Buchanan; Consultant, Kennedy Miller Mitchell

Shielding Journalistic Integrity Amid Rapid Information Spread and Defamation Challenges

- New challenges for journalism, including issues related to online content, user-generated content, and the rapid spread of information
- Analysing the effectiveness of Australian shield laws
- Interpreting defamatory content: what you intend to express compared to how others perceive it
- Minimising risks when dealing with contentious subjects while protecting journalistic integrity

Presented by **Sophie Dawson**, Partner, Dispute Resolution, Bird & Bird; Recommended Contentious Intellectual Property Lawyer – New South Wales, *Doyle's Guide 2023*; Leading Individual, Media and Entertainment, *Legal 500 Australia*

Staying Compliant Behind the Scenes: Recent Legal Obligations in the Workplace

- Understanding the new positive duty under the *Sex Discrimination Act 1984* (Cth) to proactively prevent sexual harassment
- New obligations under the WHS Act focusing on addressing psychosocial risks in the workplace

Presented by **Amber Sharp**, Partner, McCullough Robertson; Recommended Lawyer, Labour and Employment, *Legal 500 Australia*

Exploring the Impact of Significant Privacy Act Reforms on Film & Television

- An overview of recent reforms to the *Privacy Act* and the further suite of reforms proposed in the *Privacy Act Review Report*
- Detailed discussion of those proposals which are likely to have the most significant impact on the film and television industry
- Exploring practical steps that members of the film and television industry may wish to take in anticipation of the new regime

Presented by **James Hoy**, Special Counsel, Media & Technology, Bird & Bird

Spotlight on Silver Screens: Crafting Compelling Cast & Crew Contracts in Film & TV

- Exploring the industrial framework for contracting cast and crew, including considering discrimination issues when you are typecasting
- An update on the latest case law relating to the contractor v employee distinction
- Considerations when engaging particular classes of talent, including children and vulnerable people
- The 'big ticket' items to cover in your contracts to address key risks, including relating to defamation and talent 'sideline careers' as influencers that leverage your brand, contacts or materials

Presented by **Rebecca Lindhout**, Special Counsel, McCullough Robertson; Recommended Lawyer, Media and Entertainment, *Legal 500 Australia*; Secretary, Communications and Media Law Association and **Nicola McMahon**, Senior Associate, McCullough Robertson

SESSION 2: I.P. RIGHTS IN A.I. GENERATED CONTENT, MUSIC AND INDIGENOUS ASSETS

11.00AM TO 2.15PM \$420 WEB243N23B

Chair: **Rebecca Dunn**, Partner, Gilbert + Tobin; Leading Contentious Intellectual Property Lawyer – New South Wales, *Doyle's Guide 2023*; President, Communications and Media Law Association

Artificial Intelligence in Film & Television: A Framework

- Consideration of issues raised by A.I. use in scripts, performances, licensed materials and post-production
- Complexities of ownership issues in relation to A.I. generated content
- Impact on contracting, data security and liability
- Proposals for best practice surrounding A.I. use and A.I. content creation

Presented by **Janine Lapworth**, Senior Consultant, Simpsons; Deputy Chair, Australian Theatre for Young People

Content & Country: Protecting the I.P. of Indigenous Knowledge and Cultural Representations on Screen

- Criteria for First Nations Australian portrayal on screen: what is Indigenous Knowledge, Intellectual and Cultural Property and what constitutes Indigenous representation
- The need for due diligence in ensuring the preservation of Indigenous Knowledge, Intellectual and Cultural Property
- Awarding control, protection, recognition, and respect to First Nations Australians
- Promoting a more inclusive and ethical approach to the use of Indigenous intellectual property in the media

Presented by **Marion Heathcote**, Principal, Trade Mark Attorney, Davies Collison Cave; Thought Leader Global Elite - IP - Trademarks 2023, *Who's Who Legal*

Music Rights: Copyright Ownership, Licensing, Threats and Opportunities

- Basic overview of rights in music, who controls such rights including an explanation of the different creative and commercial interests (songwriters, performers, recording artists, music publishers and record labels, collecting societies)
- How music is commissioned and licensed for film, television and podcasts
- Impact of fragmentation of the media landscape, proliferation of global streamers on music rights, and other issues facing the Australian music industry
- Music industry response to A.I. and deepfakes

Presented by **Julia Kosky**, Business Affairs Lead, Music, ABC



**AUSTRALIA'S PREMIER
FILM, TV AND MEDIA
LAW EVENT**

ATTEND THE FULL DAY AND EARN

7 CPD UNITS

7 CPD units in Substantive Law

ONLINE ONLY 11TH ANNUAL IMMIGRATION LAW CONFERENCE 2024

MONDAY, 18 MARCH 2024
6.00AM TO 2.15PM

\$795
WEB243N32

SESSION 1: STRATEGIES TO DEAL WITH VISA REFORM

6.00AM TO 10.15AM \$505 WEB243N32A

Chair: Farid Varess, Principal, Varess

KEYNOTE ADDRESS

Presented by Assoc. Prof. Anna Boucher

Post Covid Visa Era: Insights, Options, and Implications

Presented by Tanja Djokic, Director and Principal Solicitor, TD Migration Consulting

Effective Strategies for Family Visas: Addressing Implications of Proposed Reform

Presented by Marial Lewis, Principal Solicitor and Founder, Crossover Law Group

Overview on Employer-Sponsored Temporary & Permanent Entry Visas

Presented by Maria Jockel, Legal Principal & National Leader, Migration Services, BDO

Employees Transitioning from Temporary to Permanent Visas

Presented by Lillian Ajuria, Ajuria Lawyers; Accredited Specialist in Immigration Law

PANEL DISCUSSION

✔ Ethics and Professional Responsibility

“Trade Secrets” and Ethical Dilemmas in Immigration Law: A Comprehensive View of the Dilemmas that All Legal and Agent Practitioners Encounter in the Landscape

Moderator: Farid Varess, Principal, Varess

Panellists: Simon Jeans, Principal, Jeans Lawyers; Ndi Ruppert, Principal & Founder, Ruppert Legal; Theresa Baw, Barrister, Frederick Jordan Chambers

SESSION 2: STRATEGIES FOR COMPLEX MIGRATION LAW MATTERS

11.00AM TO 2.15PM \$420 WEB243N32B

Chair: Kathryn Viegas, Director, Nomos Pty Ltd

KEYNOTE ADDRESS

Presented by Dr Jason Donnelly, Barrister, Latham Chambers

What Immigration Lawyers Need to Know for Clients Facing Criminal Charges

Presented by Kim Hunter, Criminal Defence, Immigration Lawyer, Hunter Flood Lawyers

✔ Professional Skills

How to Run a Section 501 Case

Presented by Ray Turner, Solicitor; Accredited Specialist in Immigration Law

Judicial Review Cases that Affect Your Practice and Why

Presented by Chris Honnery, Barrister, Frederick Jordan Chambers

COMPLIANCE WITH AAT PRACTICE DIRECTIONS

Presented by Dr Bridget Cullen and Peter Papadopoulos

MIGRATION AGENTS CAN EARN 4 CPD POINTS, INCLUDING 1 ETHICS POINT. MARA APPROVAL NO'S:

Session 1: Face to Face & Live Online - CN169, On Demand - DN470

Session 2 (Excluding Ethics): Face to Face & Live Online - CN170, On Demand - DN471

Ethics CPD Point

Face to Face & Live Online - M1B10053, On Demand - M2B10049

ATTEND THE FULL
DAY AND EARN

7 CPD UNITS

4.5 CPD units in Substantive Law
1 CPD unit in Ethics & Professional Responsibility
1.5 CPD units in Professional Skills

ONLINE ONLY ABUSE LAW SYMPOSIUM



FRIDAY, 15 MARCH 2024
9.00AM TO 5.15PM

\$795
WEB243N27Z

SESSION 1: PRACTICE, PROCEDURE AND DAMAGES

9.00AM TO 1.15PM \$505 WEB243N27AZ

Chair: Maithri Panagoda AM, Partner, Carroll & O'Dea

Framing the Claim or Defence and Proving or Defending It

Presented by Kristi Riedel, Barrister, Level Twenty Seven Chambers

A Post-GLJ and Schokman World: How to Size Up a Strong Plaintiff Case

Presented by Luke Geary, Partner, Mills Oakley

Obtaining Relevant Evidence: Subpoenas and Redactions in Sexual Abuse Context

Presented by Greg Choat, Special Counsel, Koffels

Putting a Price on Human Misery: Approaches to Assessing General, Aggravated and Exemplary Damages

Presented by Martin Slattery, Partner and Greg McAllister, Solicitor, Carroll & O'Dea

Economic Loss in Abuse Law: Who Should you Brief and What Should you Ask?

With the publication of divisions around Australia will review the law, recent cases and emerging trends in economic loss claims

Presented by Asanka Gunasekera, Barrister, Francis Burt Chambers

SESSION 2: SELF CARE FOR ABUSE CLAIM LAWYERS, EVIDENCE IN HISTORICAL ABUSE LITIGATION, MEDIATION

2.00PM TO 5.15PM \$420 WEB243N27BZ

Chair: Danielle De Paoli, Special Counsel & State Team Leader,
Maurice Blackburn

✔ Practice Management & Business Skills

Running an Abuse Law Practice, Vicarious Trauma and Psychological Safety: Creating Brain-Safe Workplaces

Presented by Rachel King, CEO & Founder, Human Risk Management

✔ Professional Skills

Mediation Pathways in Historical Abuse Claims

Presented by Karen Stott, Founder and Principal, Karen Stott - ADR & Mediation Services; Leading Mediators, *Doyles Guide 2023*

✔ Professional Skills

Institutional Cultures and Contexts: Recovering Evidence of Historical Maltreatment

Presented by Prof. Bob Lonnie, Consultant, Ferret Consulting and Dr Yorick Smaal, Senior Lecturer in History in the School of Humanities, Languages and Social Science, Griffiths University

“Detailed expert advice on
the emerging area of law”

“One of the most practical and
helpful webinars I have ever
watched on Abuse Law”

ATTEND THE FULL
DAY AND EARN

7 CPD UNITS

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

ONLINE ONLY

ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT FOR ALL LAWYERS 3 KEY AREAS



THURSDAY, 14 MARCH 2024
2.00PM TO 5.15PM

\$420
WEB243W12Z

Would you like to develop your understanding of business valuations, receive a timely update on practice management and business skills, and strengthen your ethical reputation by learning how to pinpoint conflicts of interest early on? All lawyers can build and improve on these areas. Here is an excellent opportunity to get your ethics, skills and practice management points out of the way whilst hearing practical and valuable insights on these essential areas.

Chair: **Pino Monaco**, Director, GV Lawyers

✔ Ethics & Professional Responsibility

Ethical Concerns for Lawyers Acting in Conflict of Interest

- Latest ethical principles and disciplinary actions: recent cases and lessons to be learnt
- Conflict of interest for solicitors concerning former clients
- Common scenarios and possible options to apply

Presented by **Stuart Shepherd**, Barrister, Murray Chambers

✔ Professional Skills

Fundamentals of Business Valuations

- Overview of different business valuation methods
 - Orderly realisation of assets
 - Discounted cashflow
 - Future maintainable earnings
- Understanding future maintainable valuations
 - Determining future maintainable profits
 - "Add backs"
 - Capitalisation rate/multiple
- Goodwill demystified
 - What is it really?

- Issues arising in business valuations
 - Use of experts

Presented by **GiGi Visscher**, Barrister, Francis Burt Chambers; Fellow Chartered Accountant

✔ Practice Management & Business Skills

Update on Practice Management & Business Skills

Receive an essential update on the critical practice management and business skills that you need to know.

IN-DEPTH WORKSHOP

TESTAMENTARY TRUST WORKSHOP



TUESDAY, 19 MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243N36

In today's dynamic legal landscape, a basic will no longer meet the diverse needs of all your clients. You must stay informed about the various testamentary trusts, tailored to address complex scenarios in blended families and asset protection needs, and beneficiaries facing disabilities or vulnerabilities. Join Paul Evans, a recognised Wills and Estates law expert and an exceptional workshop facilitator for this comprehensive workshop, where you will acquire essential insights, real-world examples and clauses, effective strategies, and best practices to ensure your testamentary trust drafting expertise is always correct.

Throughout the workshop, you will review example clauses and learn how to avoid pitfalls when drafting testamentary trusts, examining the following:

- Circumstances for including a testamentary trust in the will
- Drafting for the different types of testamentary trusts:
 - Special disability trusts
 - Life interest trusts
 - Superannuation death benefit trusts
 - Testamentary discretionary trusts
- Managing tax issues with testamentary trusts
 - Excepted Trust Income
 - Capital gains tax and land tax
 - Non-resident beneficiaries
- Administrative and legal requirements for setting up the trust
- Explore case studies to illustrate when a particular trust may be appropriate for a client's circumstances
- In-depth strategies to elevate your drafting
- Example clauses to take away and utilise in your drafting
- Example clauses to avoid and what to do differently

Presented by **Paul Evans**, Partner, Makinson d'Apice Lawyers; Accredited Specialist in Wills & Estates Law, Member of STEP; Preeminent Wills, Estates & Succession Planning Lawyers – New South Wales, *Doyle's Guide 2023*

About Paul Evans

Paul specialises in wills and estate planning, disputes to wills, protecting assets for future generations and estate administration. Paul lived in London for 18 years and during that time specialised in inheritance tax mitigation and also acted for charities. He worked at National Australia Trustees Limited (part of NAB Private Wealth) where he was Manager Northern States, Estate Planning. He is a regular speaker on Wills and Estate Law.

"Everything you need to know about Testamentary Trust in one place"

"A must-attend workshop for all lawyers working in this space"

"Paul Evans is fantastic and his materials are very useful"

ATTEND AND EARN

3 CPD UNITS

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

ATTEND AND EARN

4 CPD UNITS

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

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60	\$5,100	\$85
80	\$6,400	\$80
100	\$7,500	\$75
120	\$8,760	\$73

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ONLINE ONLY SHAREHOLDER AGREEMENTS WORKSHOP



WEDNESDAY, 20 MARCH 2024
5.30AM TO 9.45AM

\$505
WEB243N38

Join us for an insightful practical workshop, covering essential topics such as structuring entities, governance and financing. Discover effective strategies for shareholder entry and exit, including non-compete and confidentiality considerations as well as statutory remedies and the practicalities of enforcing shareholder agreements where there is a dispute. Gain valuable insights on valuation issues and appropriate valuations to include in shareholder agreements.

Chair: **Amanda Comelli**, Partner, Brown Wright Stein Lawyers; NSW Accredited Specialist in Business Law

PRACTICAL WORKSHOP

Structuring Entities

- Structuring of companies and business entities
- Governance and control of the entity
- Financing of an entity's business objectives
- Determination of that entity
- The importance of Shareholder Agreements generally

Shareholder Entry and Exit Strategies

- Non-compete, confidentiality and restraint
- Managing the process by drafting and other methods
- Strategies to minimise difficulties
- Precedent clauses: Which ones work and why?

Presented by **John Graves Principal**, Bradfield & Scott Lawyers; Accredited Specialist in Business and Property Law and **Sarah Toomey Westcott**, Senior Associate, Bradfield & Scott Lawyers

Shareholder Agreements and Disputes

- The impact of the member's statutory remedies on shareholders' agreements and vice versa;
- The realities of enforcing shareholder agreements in the context of a breakdown between members.

Presented by **Doran Cook SC**, 9th Floor, Wentworth Chambers

Professional skills

Valuation Issues in Shareholder Agreements

- Using a valuation formula
- Valuation methodologies that could be used in valuations
- Tips and tricks to include appropriate valuation clauses in shareholder agreements

Presented by **Dan Taylor**, Partner, Prime Financial Group; Fellow, Institute of Chartered Accountants Australia and Financial Services Institute Australia; Certified CA Business Valuation Specialist

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Substantive Law
1 CPD unit in Professional Skills

ONLINE ONLY 'HOW TO' SKILLS FOR LITIGATORS



THURSDAY, 21 MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243N40

Litigation is about skill. Join an exceptional panel of experienced litigators and walk away with practical insights on key skills for litigators. Jam-packed with real worked examples on drafting statement of claims, defences and replies. Gain a practical understanding of the use conversation evidence in your affidavits and learn how and when it can be used. Plus get a valuable guide to using expert evidence and be across your ethical obligations in the preparation and participation of mediations.

Chair: **Michelle Campbell**, Barrister

✔ Professional Skills

Drafting Statement of Claims, Defences and Replies with Real Examples

- Types of Pleadings: statements of claim, defences, replies and crossclaims
- Organising content: material facts vs particulars
- Amendments and strike out: the when, the why and the how
- Drafting effective pleadings and some things to avoid with real examples

Presented by **Ashley Cameron**, Barrister, Greenway Chambers

✔ Professional Skills

Admissibility and Presentation of Conversation Evidence: How and When Direct Speech Should be Used in Affidavits

- Do's and don'ts of speech in affidavits
- Hearsay implications of direct speech and admissibility requirements

Presented by **Alexander Kuklik**, Barrister, Third Floor Wentworth Chambers

✔ Professional Skills

A Guide to Using Expert Evidence

- How to ask the right questions in your letter of instructions?
- Can the other side subpoena a note? How to give instructions
- Ethical boundaries: what you can and cannot influence
- Can lawyers draft (part of) the report for the expert?

Presented by **Ronny Chen**, Barrister, Frederick Jordan Chambers

✔ Professional Skills

Mediation Preparation and Participation

- Preparation and participation of mediation
- Ethical rules to consider
- Issues that you may face

Presented by **Gregory Burton SC**, 5 Wentworth Chambers

Back By
Popular
Demand

ONLINE ONLY SMSFS: A PRACTICAL WORKSHOP



THURSDAY, 21 MARCH 2024
11.00AM TO 2.15PM

\$420
WEB243N41Z

Join us at this practical workshop where you will use case studies to explore the complex issues you may face with SMSFs together with 3 tax and SMSF experts. Delve into the complexities of additional tax on balances over \$3 million, how to calculate, options for payment and managing the changes. Discover the intricacies of death benefit payments in SMSFs that can have a huge impact on their practical application. Review SMSF trustees' duties, obligations, and minimising non-compliance risks.

Chair: **Tracey Norris**, Director, Pitcher Partners; Accredited SMSF Specialist; Fellow of the Institute of Chartered Accountants in Australia and New Zealand

✔ Professional Skills

The Three Million Dollar Story: Additional Tax on Balances Over \$3 Million

The government remains resolute on reducing the tax concessions available to large superannuation balances. Whilst many may argue that \$3 million is not large, the vast majority of large account balance holders and their advisers don't seem concerned about receiving lower tax concessions on their earnings. However, overwhelmingly members and industry object to the calculation intended to be used, and the degree of complexity of the announced measures.

In this session you will use a series of case studies to review:

- An overview of the announced measure
- How to calculate the additional tax
- The administration and options for paying the tax
- Strategies for managing the changes

Presented by **Julie Steed**, Senior Technical Services Manager, Australian Executor Trustees; SMSF Specialist; Senior Fellow of Finsia; Fellow of ASFA; accredited SMSF Specialist Advisor

Duties and Obligations of SMSF Trustees

- What are the statutory and common law duties of SMSF trustees?
- What are the obligations of directors of SMSF trustees?
- What are the implications of breaching those duties?
- How can trustees reduce the risk of non-compliance?
- Can a beneficiary challenge the exercise of trustee's discretionary powers?

Presented by **Dr Bill Orow**, Barrister, Greens List

✔ Professional Skills

SMSFs and Death: Dreams and Disappointments

The SMSF is a cornerstone of many client's estate plans and considerable planning goes into the payment of death benefits. Yet despite an understanding of the importance, there are regularly issues with the practical application of death benefit payments in SMSFs.

Using a series of case studies, you will examine:

- Differences between superannuation rules and trust deed rules
- Nomination best options
- Nomination failures and challenges
- Death bed payments

Presented by **Julie Steed**, Senior Technical Services Manager, Australian Executor Trustees; SMSF Specialist; Senior Fellow of Finsia; Fellow of ASFA; accredited SMSF Specialist Advisor

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Professional Skills

ATTEND AND EARN

3 CPD UNITS

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

EMPLOYMENT LAW REFORMS AND CASE UPDATE



THURSDAY, 21 MARCH 2024
9.00AM TO 1.15PM

\$505
243W14

Explore the most significant issues, reforms and legislative developments in employment law for 2024. Hear from a leading panel of employment law specialists, as you scrutinise proposed future reforms and impacts of recent legislative changes. Get your annual update on general protections cases and a practical guide to general protections proceedings.

Chair: **Natasha Leedman**, Principal – Natasha Leedman, Specialist Workplace Lawyer & Consultant

Overview of Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 (Cth)

Presented by **Samantha Maddern**, Partner, Workplace Relations, Employment and Safety, Mills Oakley

2022-2023 Legislative Changes in Review

· *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act*

- Enterprise bargaining: review of amendments
- Flexible working arrangements
- Fixed term contracts

· *Protecting Worker Entitlements Act*: How do the changes to parental leave work in practice (and associated gender reporting-type changes to law)

Presented by **Renaë Harding**, Partner, Workplace Relations + Safety, Jackson McDonald

General Protections: Implications of Qantas Airways and Other Case Updates

Discuss the impact of the High Court's decision in *Qantas Airways Limited v Transport Workers Union*, among other significant recent cases.

Presented by **Nicholas Ellery**, Barrister, Francis Burt Chambers

A Practical Guide to "General Protections" Proceedings in the Federal Court and Federal Circuit and Family Court

A practical guide on how to commence or defend a general protections proceeding and the main steps along the way, including:

- Discovery
- Affidavits: Practice of 'Conversation Evidence': *Kanes Hire Pty Ltd v Anderson Aviation Australia Pty Ltd*
- The Hearing
- Damages

Presented by **Maria Saraceni**, Barrister, Francis Burt Chambers

CONTRACT LAW MASTERCLASS



THURSDAY, 21 MARCH 2024
2.00PM TO 5.15PM

\$420
243W15

Led by esteemed experts Dirk Feinauer and Richard Douglas, with David Vilensky facilitating, this masterclass simplifies complex concepts into three main parts for you: how to think about a contract, what happens when you have a disagreement about your agreement, and strategies for challenging negotiations. Get contracts right. Join us for a special chance to learn from experts and provide the most up-to-date results for your clients

Chair: **David Vilensky**, Managing Partner, Bowen Buchbinder Vilensky Lawyers

Professional Skills

Part 1: How To Think About a Contract

- Words: Is less really more?
- Creating a rule book for future events and the uncertainties that lie ahead.
- *Bespoke v Off-the-shelf v Artificial intelligence*-Are lawyers redundant and do they add anything?
- Understanding the entire bargain and recording it
- Recitals – Do they mean anything? Do they need to be true and correct?
- Operative clauses – What are they?
- Termination – Understanding the consequences.
- Legal overreaches – Warranties, Indemnity clauses, Exclusion clauses and Damages clauses
- Definitions and substance
- Drafting style
- Dealing with Power Imbalances

Presented by **Dirk Feinauer**, Director, Feinauer Commercial Lawyers

Part 2: What Happens When You Have a Disagreement About Your Agreement

- Agreeing words v agreeing substance: What your words actually mean
- Court v Arbitration
- Bodies of law that operate beyond and alongside contract
- How a dispute actually gets resolved in a Court or by arbitration

Presented by **Richard Douglas**, Barrister, Francis Burt Chambers

Practice Management & Business Skills

Approaches for Navigating Difficult Scenarios in Negotiations

- Simple v complex
- Preparing for future breaches: Insurance, Indemnification, Limitation and Liability Strategies
- How to avoid ending up in a contractual court dispute
- Negotiating to avoid damages for contract breaches and consequential loss exclusions

Presented by **Richard Douglas**, Barrister, Francis Burt Chambers and **Dirk Feinauer**, Director, Feinauer Commercial Lawyers

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

ATTEND AND EARN

3 CPD UNITS

1 CPD units in Substantive Law

1 CPD units in Practice Management & Business Skills

1 CPD units in Professional Skills



THURSDAY, 21 MARCH 2024
9.00AM TO 5.15PM

\$795
243W16

Are you ready to maximise property development potential? With changes to the management of crown land, planning and environment updates and developments in compulsory land acquisition claims, it's vital you stay well-informed and capitalise on the new prospects offered. Receive a comprehensive update on commercial leasing, unpack your ethical obligations as a property lawyer, uncover privacy risks, sharpen your caveat dispute resolution skills & more.

SESSION 1: MAXIMISING PROPERTY POTENTIAL: LEASING, PLANNING, CROWN LAND & ACQUISITION

9.00AM TO 1.15PM \$505 243W16A

Chair: **Shannon Davies**, Principal, Stork Davies; Recommended Property & Real Estate Lawyer, *Doyle's Guide* 2020-2023; Recommended Leasing Lawyer, *Doyle's Guide* 2023; *Best Lawyers* 2023, 2024, Leasing Law; *Best Lawyers* 2024, Real Property Law

Planning and Environmental Law Reform and the 'Housing Crisis'

We live in a time of unprecedented political appetite for reforming the planning and environmental law systems, in particular to address the housing supply shortages and ever-increasing land prices, join for a detailed session as you consider:

- What reforms are being implemented or well on the way to being made?
- Can they really make a difference?

Presented by **Glen McLeod**, Principal, Glen McLeod Legal; Leading Planning & Environment Lawyer, *Doyle's Guide* 2023, Preeminent Planning & Environment Lawyer, *Doyle's Guide* 2022

Commercial Leases: Key Updates and Cases

Examine some of the key developments, trends, and cases in retail and commercial leasing with a leading practitioner as he breaks down the facts of each case and the crucial takeaways you can add to your leasing knowledge base and repertoire.

Presented by **Matt Reid**, Partner, Jackson McDonald

Compulsory Land Acquisition and Compensation Claims

- Compensation a land owner is entitled to: We'll provide clarity on the types of claims that can be made,
- Learn how to select and work with experts: Find out how to instruct professionals effectively and properly to strengthen your case and achieve the correct outcome
- Master the art of negotiation and legal progression: this will touch on the process of negotiating a fair settlement

Presented by **Tim Houweling**, Director, Cornerstone Legal; Recommended Planning & Environment Lawyer, *Doyle's Guide* 2023

Grants of Crown Land Tenure: Processes and Pitfalls

- Issues to consider in obtaining tenure over Crown land in Western Australia
 - Tenure options available under the *Land Administration Act* 1997 including the recently enacted diversification lease
 - Tenure options available under other Acts
 - Native title 'future act' and compensation
 - Mining overlap
 - Other interest holders
- The timeline and process for the grant of tenure over Crown land

Presented by **Sandra Eckert**, Legal Consultant, MinterEllison

SESSION 2: ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT FOR PROPERTY LAWYERS

2.00PM TO 5.15PM \$420 243W16B

Chair: **Professor Stephen Owen-Conway KC**, Sir Lawrence Jackson Chambers

✔ **Ethics & Professional Responsibility**

Ethical Considerations in Property Law: Who is Your Client?

Join us for a conversation about ethical risks in real property. Explore real-world examples, key facts, and develop strategies to avoid getting caught in these traps. In this session you will analyse:

- Who is the client?
- Verification of identity: policies
- Is capacity of a client in issue?
- Is the client a person or a company? Proof?
- Authority to instruct: Who says?
- Ceasing to act

Presented by **Lauren Evans**, Special Counsel, Pragma Lawyers

✔ **Professional Skills**

Caveat Dispute Resolution Skills

Gain guidance for clients seeking to:

- Remove caveats by issuing lapsing notices under s 138B(1) of the *Transfer of Land Act* 1893 (WA) (TLA);
- Contest lapsing notices by applying to the Supreme Court under 138C(2)(a) (ii) TLA
- Practical guidance in relation to caveat litigation

Presented by **Lachlan Palmos**, Principal, Palmos Legal

✔ **Practice Management & Business Skills**

Privacy Risks for Property Practitioners

- Understanding your privacy obligations and responsibilities
- Identifying privacy risks in your matters: the often overlooked risks and red flags
- How to resolve and prevent privacy risks in your practice
- What you can and can't do with client information and data? Examples and practical tips

Presented by **Ben McPherson**, Special Counsel, Stork Davies

“Full of interesting and useful presentations”

“High quality relevant topics and excellent content and presenters”

ATTEND AND EARN 7 CPD UNITS

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

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



FRIDAY, 22 MARCH 2024
9.00AM TO 5.15PM

\$795
243W17

Yes. We know. There's never a dull moment in criminal law. Consider the most significant cases and biggest developments across sexual offences, regulatory prosecutions, evidence, international asset freezing, and youth justice over the past 12 months. Plus, gain practical insights for handling abusive and threatening clients and ethical dilemmas in and out of court. You'll find all the essential information and practical implications in these key areas plus more, and secure your core area CPD points.

SESSION 1: HOT BUTTON ISSUES IN THE CRIMINAL LAW LANDSCAPE

9.00AM TO 1.15PM **\$505** **243W17A**

Evidence Roundup

- Using expert in court and preparing for trial
- Questions of admissibility of forensic evidence
- When and under what circumstances DNA evidence can lead to a wrongful conclusion?
- Expert witnesses
- The ethical boundaries of witness preparation
- Challenges with the jury

Presented by **Rebekah Sleeth**, Barrister, Albert Wolff Chambers

Trial Directions

- Review of common trial directions
- Recent decisions of interest
- An overview of legislative changes

Presented by **David Bodeker**, Barrister, Equus Chambers

How to Prepare for Sex Offence Trials

- Types of sex offences: general considerations to identify in each type of matter
- Initial client meeting: building trust in the lawyer client relationship, working with accused persons, and if applicable, their loved ones
- Evidence analysis
- Preparation of witnesses (especially in cases where a lineal or de facto relative is the complainant)
- Pre-recordings and examining children
- Pre-trial issues such as s31A and other types of evidence to consider s98 hearings may be required
- Accused election to give evidence: risks and pros
- Jury directions
- Section 9AA and other Sentencing considerations - the nuances of sentencing offenders (especially where matters personal to the offender are given less weight)

Presented by **Lindsay Allan-McConchie**, Barrister, Francis Burt Chambers

Regulatory Prosecutions

- Common issues, including averments and collateral challenges
- Sentencing considerations and costs
- Tips and considerations in practice

Presented by **Sam Pack**, Barrister, Francis Burt Chamber

SESSION 2: ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT FOR CRIMINAL LAWYERS

2.00PM TO 5.15PM **\$420** **243W17B**

Professional Skills

International Asset Freezing

- Exploring opportunities for criminal lawyers in international law
- European Investigation Order (EIO)
- European Arrest Warrant

Presented by **Prof. Dr. Gerhard Janssen**, LL.B., Director, Janssen + Maluga Legal

Ethics & Professional Responsibility

Ethical & Professional Responsibility When Dealing with Youth Justice: Addressing Human Rights

- Are human rights protected in Australian Juvenile Justice?
- The need for awareness of HR limitations when dealing with juveniles in the criminal justice system

Presented by **Dr Stephen Monterosso**, Senior Lecturer, Curtin University

Practice Management & Business Skills

The Mind Matters: Psychology of Criminal Defence Work

From handling abusive and threatening clients to navigating ethical dilemmas and sustaining a successful practice, this session offers a deeper understanding of the psychology behind criminal defense work.

Presented by **Jeremy Scudds**, Barrister & Solicitor, Porter Scudds



**NEED MORE CPD UNITS
 IN CRIMINAL LAW?**

See Driving Offences on [page 22](#)

ATTEND AND EARN

7 CPD UNITS

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

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

DRAFTING COMMERCIAL AGREEMENTS



FRIDAY, 22 MARCH 2024
9.00AM TO 1.15PM

\$505
243W18

Explore key clauses and critical agreements in this dynamic half-day program that will lead you through the essential commercial agreements. Learn about purchase and supply agreement, shareholder agreements, joint ventures, and lease agreements. Understand the impact of GST when making business and discover strategies to prevent litigation. Master principles to safeguard your clients' interests, minimise commercial risks and gain insights from expert commercial contract professionals.

Unlocking Success in Supply Agreements

An effective supply agreement can be the secret to successful project delivery and strong commercial relationships, by capturing workable processes to manage delivery and disruption. Cover the essential components of supply agreements including:

- Scope and performance: defining clear roles and responsibilities for manufacturing, delivery and installation
- Essential provisions: pricing and payment terms, programming and coordination mechanisms. delivery schedules, volume and forecasting and quality control
- Risk allocation: Robust warranty and liability clauses
- Relationship management: exclusivity, suspension and termination provisions and dispute resolution processes

Presented by **Gemma Nugent**, Director, SoundLegal

Drafting Joint Venture Agreements

Sam will use real-life cases he has been a part of to illustrate specific instances of Joint Venture pitfalls. Through these cases, he will showcase how the implementation of an effective Joint Venture agreement can prevent and navigate these challenges successfully.

Presented by **Sam Luttrell**, Partner, Clifford Chance

An Exercise in Managing the Commercial Relationship and Expectations of Shareholders

- Practical tips
- Governance issues arising in shareholder agreements
- Dispute resolution techniques
- Drafting clauses in shareholder agreements
- Obtaining a commercial outcome for shareholder entry or exit
- Minimising valuation disputes via shareholder's agreements

Presented by **Simon Owen**, Principal, Grantleigh House

Drafting Lease Agreements

- Importance of condition reports in commercial lease agreements
- How technology is being used to provide better evidence to support make-good clauses
- How to split depreciation when an owner makes a fit-out contribution
- Hidden tax benefits of abandoned fit outs
- High risk of underinsurance in the commercial property sector

Presented by **John Williams**, Director, Asset Reports

Hiding in Plain Sight: Considering GST Issues When Drafting Agreements

Address the practical knowledge needed to identify and mitigate potential GST-related risks in your agreements, thereby safeguarding your clients' interests and minimizing the likelihood of costly litigation. With expert insights from Shagun Thakur, this presentation promises to equip you with the skills and expertise necessary to navigate the complexities of GST in your contract drafting process effectively.

Presented by **Shagun Thakur**, Partner, PwC

SAT PRACTICE AND PROCEDURES



FRIDAY, 22 MARCH 2024
2.00PM TO 5.15PM

\$420
243W19

Join us in navigating the SAT legal landscape. Examine, with a Member of the Tribunal, the SAT's jurisdictions, the scope of SAT's powers in its review jurisdiction and dispute resolution in the context of SAT's objectives. Understand the jurisdiction for appealing SAT decisions, grounds for appeal and review recent cases. Equip yourself with practical advocacy tips to enhance your effectiveness in SAT matters.

Chair: **Elmi Carlean**, Barrister, Francis Burt Chambers

SAT's Jurisdiction and Dispute Resolution Processes

- SAT's original and review jurisdictions
- Applications by 'stream'
- The scope of SAT's powers in its review jurisdiction
- Dispute resolution in the context of SAT's objectives
- Facilitative dispute resolution through directions hearings and mediation
- SAT as a 'no cost' jurisdiction

Presented by **Charmian Barton**, Member, WA State Administrative Tribunal

Appealing SAT Decisions: What You Need to Know

- Internal appeals within SAT
- Appeals from SAT to a single Judge of the Supreme Court
- Appeals from SAT to the Court of Appeal
- Checklists for SAT appeals
- The dos and don'ts of grounds of appeal
- Templates for advising clients in relation to SAT appeals (including in relation to costs)
- Notable recent appeals

Presented by **Richard Graham**, Legal Practitioner Director, Graham & Associates Lawyers

Professional Skills

Effective Advocacy in the SAT: Practical Tips

- The fundamentals of an effective advocate
- Tailoring your advocacy style to suit the particular jurisdiction of the SAT in which you appear
- Advocacy in mediations and procedural hearings before the Tribunal
- Tips for appearing by video

Presented by **Douglas Johnson**, Barrister, Francis Burt Chambers

**PRACTICAL
INTENSIVE
TO IMPROVE SAT
EFFECTIVENESS**

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Professional Skills
1 CPD units in Substantive Law

ATTEND AND EARN

3 CPD UNITS

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

ONLINE ONLY

ETHICS, PROFESSIONAL SKILLS & PRACTICE MANAGEMENT FOR WILLS & ESTATES LAWYERS



FRIDAY, 22 MARCH 2024
2.00PM TO 5.15PM

\$420
WEB243W13Z

Join our panel of speakers for an afternoon designed especially for Wills & Estates Lawyers to tick off your CPD core competency points before the 31 March deadline. Consider the issues surrounding how to assess or challenge testamentary capacity and examine the ethical considerations that you need to be aware of in your role as a succession lawyer. Reflect on how to better manage your relentless workload and improve your work-life balance.

✓ Professional Skills

Assessing Testamentary Capacity

- Establishing or challenging testamentary capacity
- Nature, extent and significance of medical evidence
- Evidentiary issues

Presented by **Robert Nash**, Barrister, Francis Burt Chambers; NMAS Accredited Mediator, TEP

✓ Ethics and Professional Responsibility

Ethics and Best Practice in Modern Estate Planning

A modern take on the ethical considerations that succession lawyers must be conscious of when:

- Acting for multiple parties
- Collaborating with other professional advisers
- Dealing with the increasing incidence of dementia in society
- Incorporating cultural beliefs and customs into an estate plan

Presented by **Rein Squires**, Barrister, Francis Burt Chambers

✓ Practice Management & Business Skills

How to manage an enduring Wills and Estates Practice

- From whom are we taking instructions?
- Importance of reviewing existing documents and planning from a global perspective
- Consideration as to the appropriateness of a capacity assessment
- Consideration as to the necessary complexity of documents and client understanding
- Issues that can arise on administration of a Will
- Tips and traps to avoid

Presented by **Lee-Ann Cartoon**, Principal, Succession Solutions Perth; Recommended Wills, Estates & Succession Planning Lawyer, *Doyle's Guide 2022*

ONLINE ONLY

FORENSIC EVIDENCE IN CRIMINAL LAW MATTERS



FRIDAY, 22 MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243V26Z

Hear from a renowned Counsel, Dr. Ian Freckelton AO KC, and other leading experts on the key issues of Forensic Evidence. This unique program explores the importance of forensic evidence in criminal law matters. You'll gain practical and key insights into what happens in the lab. Our program will equip you with the know-how and confidence to expertly handle technical questions in the courtroom, enhancing your advocacy skills and performance. Boost your forensic expertise and solidify your reputation with judges and juries, fortifying your standing in the criminal law arena.

Chair: **Rose Khalilizadeh**, Barrister, Public Defenders Chambers, Sydney

Developments in Novel Scientific Evidence and Emerging Ethical Issues

Presented by **Dr. Ian Freckelton AO KC**, Professor of Law and Professorial Fellow in Psychiatry, University of Melbourne; Honorary Professor of Forensic Medicine, Monash University; *Doyle's Guide* Leading Administrative and Public Law 2022, 2023, 2022, 2021, 2020, 2019; *Best Lawyers* 2023, 2022, 2021, 2020, 2019

Advanced Issues and Limitations with DNA Evidence

Forensic DNA testing is often held up as the 'gold standard' of forensic testing and is frequently presented without challenge at trial. Recent experience in NSW and elsewhere in Australia has highlighted number of important limitations and misconceptions about DNA evidence about which practitioners should be informed so that such evidence can be appropriately tested and evaluated. Join **Jae Gerhard** from Independent Forensic Services to cover the following:

- The types of testing which can be undertaken in relation to biological origin of material
- Limitations to testing of biological fluids
- Trace DNA and its transfer and persistence
- Complex DNA profile interpretation, STRmix(TM) analysis, and limitations to the interpretation
- Laboratory accreditation

Presented by **Jae Gerhard**, Principal Scientist, Independent Forensic Services, Independent Forensic Services

Unravelling the Truth: Forensic Evidence in Sexual Assault Cases

- Sexual assault investigation workflow
- Time since intercourse and biofluid persistence
- Targeting male-specific DNA
- Unusual exhibits / Case studies

Presented by **Clint Cochrane**, Forensic Biology/DNA Laboratory Manager, Forensic & Analytical Science Service

The Role of the Neuropsychologist

- What is neuropsychology?
- When and why to engage a neuropsychologist
- Expectations and considerations
- The importance of cognition in the legal process

Presented by **Dr Amanda J White**, Neuropsychological & Forensic Services

Cybercrime and Digital Evidence

In a rapidly evolving digital age, technology is intertwined with every facet of our lives, even within crime scenes. Have you ever wondered how the devices we use daily can become crucial witnesses in criminal matters?

- Demystify the digital world hidden in crime scenes. From the sophisticated systems to the obscure tech lurking in the shadows
- Unravel the mysteries of how it all works, what data it quietly collects, and where it hides

Presented by **Dr. Graeme Edwards CFE**, Director, CYBER I Pty Ltd, Former Detective, Queensland Police Service, Financial and Cyber Crime Group

ATTEND AND EARN

3 CPD UNITS

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

ATTEND AND EARN

4 CPD UNITS

- 4 CPD units in Substantive Law

ONLINE ONLY

SPORTS LAW SYMPOSIUM: NAVIGATING LEGAL CHALLENGES IN PROFESSIONAL & COMMUNITY SPORT



FRIDAY, 22 MARCH 2024
7.00AM – 11.15AM

\$505
WEB243N43Z

Explore case studies and best practice examples and gain essential legislative updates all in relation to the legal issues that are currently concerning sporting organisations. Jam-packed with insights into advantages and disadvantages of each tribunal and implications of employment law reform. Discover how to effectively handle sports disputes and navigate the tribunals. Gain expertise on player suspensions and gain a crucial practical assessment of Australia's Sports Governance Principles.

Chair: **Margot Foster AM OLY BA LLB**

Running the Gauntlet of Sports Tribunals: The CAS, the NST and the Best of the Rest

- Sporting disputes: Which tribunal?
- The Court of Arbitration for Sport (CAS)
- The National Sports Tribunal (NST)
- Other NF & IF tribunals
- Advantages and disadvantages of CAS, the NST and other sports tribunals
- Review of decisions of sports tribunals

Presented by **Paul Hayes KC**, Owen Dixon Chambers; Leading Arbitration Barrister, *Doyle's Guide 2023*

Shifting Goalposts: Recent Changes to Employment Laws and How They Impact on the Worlds of Professional and Community Sport

- Restrictions on fixed and maximum term contracts and player/coach contracts
- Wage theft laws and volunteer coaches
- Defining casuals - again
- Respect at work and sportspeople
- Other issues that arise in the context of current reforms

Presented by **Jacquie Seemann**, Partner; *Best Lawyers 2024*, Sports Law and **Mark Branagan**, Partner, Thomson Geer

Can a Sporting Code Lawfully Suspend a Player Who has Been Charged with a Criminal Offence?

- The importance of the presumption of innocence in Australia
- Is such a suspension an unlawful restraint of trade?
- The applicability of the common law approach to restraints of trade
- The applicability of the *Restraints of Trade Act 1976* (NSW)
- Review of recent Australian cases
- Is there anything to be learnt from overseas jurisdictions?

Presented by **Arthur Moses SC**, New Chambers

Australia's Sports Governance Principles in Practice: Implications for the Sporting Community

- Gain insight into how Australia's Sports Governance Principles impact the world of sports in practice
- Understand and apply the 9 principles set by the Australian Sports Commission for good governance in sports, and discover how each principle contributes to creating positive sport experiences
- Explore case studies and best practice examples

Presented by **Ana Croger**, Experienced General Counsel, Integrity Manager and Sports Administrator

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ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

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ONLINE ONLY LAWYERS ON BOARDS: GETTING BOARD READY



MONDAY, 25 MARCH 2024
10.00AM TO 2.15PM

\$505
WEB243N59Z

Being on a board opens doors and is good for your legal career. So, explore the many career benefits, 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 and risks strategy. Avoid the potential risks of being a board member and gain practical insights from experienced lawyers & directors that you can apply in your career on boards.

Chair: **Kirsten Mander**, Chair, Legalsuper; Non-Executive Director, Peninsula Health

✔ Practice Management & Business Skills

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 and a sample board CV

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

✔ Professional Skills

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, and the delegation framework
- Risk strategy: assessing, avoiding, minimising, managing or expanding risk
- What makes a good board or committee paper: what to include or not include
- 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

✔ Professional Skills

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 dangers of blurring the line between acting as a Director or as a Lawyer
- Protecting legal professional privilege
- Insurance considerations; strategies for mitigating risk before you're in a sticky spot

Presented by **Sonia Petering**, Principal, Sonia Petering Lawyer; Chair, Qantm IP Ltd; Chair Vitrafy Life Sciences Ltd; Non-Executive Director, TAL Life Australia

✔ Practice Management & Business Skills

PANEL DISCUSSION

Lessons from the Boardroom: War Stories, Insights & Guidance from Board Members

Facilitator

Kirsten Mander, Chair, Legalsuper; Non-Executive Director, Peninsula Health

Panelists

Adrienne Parker, Partner – Head of Perth, Pinsent Masons

Catherine Leach, CEO, LeachLegal

ONLINE ONLY FRANCHISING LAW: UPDATES, DISPUTES & COMPLIANCE



TUESDAY, 26 MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243N51Z

An unmissable opportunity to hear from matter experts as they roll up the latest developments in franchising law over the past year, including the Treasury's 2023 review of the Code of Conduct. Whether you represent the franchisors or the franchisees, this seminar will uncover the best practice for navigating risks, dealing with unfair contract terms, and overcoming legal and regulatory issues affecting the business operations in the franchising system.

Chair: **Derek Minus**, Barrister, Mediator and Arbitrator, Mediation & Arbitration Chambers

Transactional and Regulatory Blind Spots: Identifying Risk Issues of Franchising

- Potential disputes arising from grey areas of interpretation and application of the Code
- Lessons from the latest case studies
- What's next: Anticipatory outcomes from review of the Code

Presented by **Sean O'Donnell**, Partner, HWL Ebsworth

In Conversation: Practical Strategies for Tackling Unfair Contract Terms in Franchise Agreements

A robust conversation about the impact of recent changes to the unfair contract regime upon franchising law, together with strategies to manoeuvre in a somewhat ambiguous arena devoid of substantive legislative or judicial direction, but with enormous consequences.

- Practical understanding of unfair contract terms within franchising agreements
- Real-life case studies and practical examples illustrating common pitfalls
- Actionable strategies for identifying, negotiating, and addressing unfair terms

Presented by **Simone Pentis**, Managing Director, Advantage Partners Lawyers and **Elizabeth Gore-Jones**, Principal, The Franchise and Business Lawyers

✔ Professional Skills

Advancing the Economy through ADR in Franchise Disputes: Expectations for Legal Representatives

- What are the real, human issues in a franchising dispute?
- Rising beyond the adversarial nature of disputes to achieve resolution
- Considerations for when it seems impossible to settle

Presented by **Dr Katherine Johnson**, Mediator and Barrister

ACCC's Regulatory Initiatives and Enforcement Focus

- Key highlights of enforcement actions and outcomes
- Emphasis on compliance and crackdown priorities

Presented by **Mathew Webster**, Special Counsel, Norton Rose Fulbright

ATTEND AND EARN

4 CPD UNITS

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

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Substantive Law
1 CPD unit in Professional Skills

ONLINE ONLY

FAMILY LAW DRAFTING BFAS, CHILD SUPPORT AGREEMENTS & OTHER APPLICATIONS



THURSDAY, 21 MARCH 2024
10.00AM TO 2.15PM

\$505
WEB243N42Z

Want to draft watertight agreements and applications always? Don't miss the opportunity to hear Services Australia speak on drafting child support agreements, followed by a practical drafting session to apply what you have learnt with real life examples. Gain practical insights from leading family law specialists to draft watertight BFA's, learning where common errors can arise and learn the potential implications of BFA's on estate planning. Finally, end with tips and traps session on drafting interim property and maintenance applications.

Chair: **Cathie Blanchfield**, Principal, Blanchfield Nicholls Family & Private Advisory

✓ Professional Skills

Child Support Agreements: Regulatory Requirements to Consider

- Consider the 2018 amendments to the *Child Support (Assessment) Act* and their impact on the drafting of binding child support agreements
- Gain information to help you prepare agreements that are compliant with the Legislation, able to be accepted by the Child Support Registrar, and drafted to respond to routine changes that happen in the lives of parents and their children, such as care and income

Presented by **Amanda Nates**, Policy Officer, Child Support Agency, Services Australia

Plus, Commentary on 'How to' Draft Child Support Agreements with Examples

Presented by **Alfonso Layson**, Principal Lawyer, Coleman Greig Lawyers

✓ Professional Skills

Understanding the Elements of a Binding Financial Agreement: Precision Drafting and Common Drafting Errors

Presented by **Paul Fildes**, Principal, Taussig Cherie Fildes Family Lawyers

BFA's and their Potential Implications for Estate Planning

- Prenups and family arrangements
- Changing landscape: Baby Boomers transfer assets
- The Bank of Mum and Dad vs the Family Court
- Asset protection opportunities
- The 'reverse tattslo' clause: bankruptcy
- Flagging intentions in Wills where there is no separation
- Blended family BFA

Presented by **Peter Szabo**, Director, Szabo Family Law; Accredited Specialist in Family Law

✓ Professional Skills

Drafting for Interim Property and Maintenance Applications

- Requirements for interim property, urgent and interim maintenance applications and litigation funding applications
- Procedural requirements under the Rules
- How to structure interim orders
- Drafting an affidavit considering the rules and evidentiary issues
- Preparing the financial statements

Presented by **Guy Waterman**, Barrister, Brisbane Chambers

ONLINE ONLY

COMPETITION & CONSUMER LAW: ENFORCEMENT AND REFORM



TUESDAY, 26 MARCH 2024
11.00AM TO 2.15PM

\$420
WEB243N49Z

With fresh leadership at the helm of the ACCC and the consumer law landscape undergoing transformation, you will delve into current enforcement priorities, providing valuable insights into the reforms and their potential ramifications. Join an exceptional panel to explore the latest developments in the law from current enforcement concerns, digital platform and other reform to greenwashing risks, compliance and remedies, ensuring you can assist your clients to remain at the vanguard of compliance in consumer and competition law.

Chair: **Bronwyn Furse**, Partner, Thomson Geer; Best Lawyer, Intellectual Property, *Best Lawyers* 2019-2023

Current Enforcement Themes in Consumer Law: Navigating Reforms and Global Trends for 2024

- Current consumer law reform initiatives: Understanding the key changes and their implications on Australian and international landscapes
- Identifying crucial areas of concern for Australian corporations in 2024
- Actionable insights and strategies to stay compliant and competitive
- International trends and practical examples

Presented by **Melissa Fraser**, Partner, Ashurst; *Who's Who Legal* Future Leader, Competition; *Best Lawyers*, Competition Law; *Legal 500* Next Generation Partner, Competition and Trade

New Competition Framework for Digital Platforms

- Regulatory reforms for addressing market power, conflicts of interest, transparency and self-preferencing and their implications on businesses
- Lessons from enforcement actions against major digital players (e.g. Google, Meta, Trivago)
- Practical guidelines for assessing market conduct

Presented by **Sian-Lee Ooi**, Special Counsel, Clayton Utz

Cracking Down on Greenwashing: Consumer Law and Compliance

- Emerging trends in green marketing and consumer awareness
- Compliance strategies for mitigating business risks
- Maintaining ethical and legally compliant marketing practices
- Remedies for consumers

Presented by **Nick Christiansen**, Partner, Sparke Helmore Lawyers

ATTEND AND EARN

4 CPD UNITS

1 CPD unit in Substantive Law
3 CPD units in Professional Skills

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

ONLINE ONLY SEX DISCRIMINATION LAW 40 YEARS ON



TUESDAY, 12 MARCH 2024
6.00AM TO 10.15PM

\$505
WEB243N52Z

In 2024, Australia will observe 40 years since the inception of its initial Sex Discrimination Law. Listen to distinguished senior counsel, Chris Ronalds AO SC, as she provides an overview of the law's evolution over the past four decades. Gain insight into the Australian Human Rights Commission's new 'positive duty' from their guidelines, understanding its interpretation, application, and the necessary steps for employers to comply. Stay updated on trends and the volume of discrimination claims under Federal Discrimination Law in the present 'Oracle' and '#MeToo' era. Receive practical advice on minimizing risks related to workplace bullying and sexual harassment litigation.

Chair: **Chris Ronalds AO SC**, Frederick Jordan Chambers; co-author, 5th Edition, *Discrimination Law & Practice*, Federation Press Publication

OPENING ADDRESS

Sex Discrimination Law in Review: 40 Years On

Presented by **Chris Ronalds AO SC**, Frederick Jordan Chambers; co-author, 5th Edition, *Discrimination Law & Practice*, Federation Press Publication

'Positive Duty' and other Changes to Discrimination and Employment Law Arising from Respect@Work

- 'Positive Duty': What is it?
- How will the Human Rights Commission interpret and apply a 'Positive Duty'?
- Practical steps to comply with the positive duty
- What format will the HRC enquiries take
- HRC Guidelines
- Other changes to the *Sex Discrimination Act*
- An analysis of how case law has or might be developed due to the amendments

Presented by **Kellie Edwards**, Barrister, 153 Phillip Barristers; Recommended Employment Law Junior Counsel, *Doyle's Guide 2023*

Developments in Federal Discrimination Law: A Consideration of Trends and Quantum in Recent Case Law

- A consideration of recent trends and developments in discrimination claims
- Quantum in the post 'Oracle' and "#MeToo" era
- Implications for practice in discrimination law

Presented by **Nikki A-Khavari**, Barrister, Higgins Chambers; Recommended Employment Law Junior Counsel, *Doyle's Guide 2023*

Professional Skills

Prevention of Bullying and Sexual Harassment in the Workplace: Beyond Policies

- Minimising the risks of litigation in the workplace: guidance from the AHRC and the FWC on creating a workplace where bullying and sexual harassment is not tolerated
- Best practice measures for handling complaints

Presented by **Ruth Nocka**, Partner, Dentons; *Best Lawyers 2023*. Labour and Employment Law

LIVE ONLINE ONLY (NO RECORDING) PLAIN ENGLISH DRAFTING: UNLOCKING THE POWER OF EFFECTIVE LEGAL COMMUNICATION



WEDNESDAY, 27 MARCH 2024
11.00AM TO 1.00PM

\$305
WEB243N53Z

In the legal profession, the ability to communicate effectively is key to your success. Learn how to avoid common pitfalls and ensure your clients are not just happy but well-informed. Join us for a transformative program led by a renowned expert in legal drafting, where you'll learn how to elevate your writing skills and leave drafting mishaps behind. Don't miss this opportunity to consolidate your foundations and excel in the practice of law.

In this unique, in-depth and interactive session, together with Bob Milstein you will explore:

- Plain English in legal writing: what it is and what it isn't
- Why plain English writing matters for you and your firm: the voice of the firm's brand, and the voice of your own brand as a professional
- Advisory writing versus transactional writing: the differences – and the similarities
- Reflecting on audience and purpose: an interactive exercise
- The issue of tone, and how to achieve it
- The myth of the professional, legal writing voice
- The special challenges of email
- What's new in the world of legal writing: the world's first's International Plain English Standard, and the promise (and threat?) of generative AI
- Tips, traps, techniques and guidelines aimed to help the lawyer get their reader through the document as painlessly as possible, and in a way that reflects well on the author, and where it's an external communication, on the firm/the organisation

Presented by **Bob Milstein**, Principal, Milstein and Associates; Principal, Words and Beyond

“One of the most interesting seminars I have done in a long time”

“Great seminar, thank you! Interactive and engaging - brought the fun and reality into legal drafting”

“Concise, witty and insightful”

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

ATTEND AND EARN

2 CPD UNITS

2 CPD units in Professional Skills

ONLINE ONLY

ADMINISTRATIVE LAW FORUM: GOVERNANCE, AI, DECISION-MAKING AND JUDICIAL REVIEW



WEDNESDAY, 27TH MARCH 2024
6.00AM TO 10.15AM

\$505
WEB243N54Z

Benefit from a comprehensive understanding of the evolving administrative legal landscape with a practical look at topical issues. Explore crucial contemporary insights into AI-driven decision-making. Critically learn how to use administrative law safeguards against disinformation and other societal threats. Understand the recent developments in judicial review plus the application of administrative law in environmental decision making.

Chair: Dr David Bennet AC KC, 5 Wentworth Chambers

The Story of Automation in Administrative Decision-Making and the Plot Twist of Artificial Intelligence: Deus Ex Machina

- Explore the concept of automated decision-making and its place in administrative law
- Look into the judicial and legislative treatment of the concept to date
- Thoughts on what the future might hold for automated decision-making in the context of advances in artificial intelligence

Presented by **Karwan Eskerie**, Partner, Sparke Helmore, Leading Administrative & Public Lawyer, *Doyle's Guide* 2023

Administrative Law as a Force for Good: How You Can Use the Administrative Law System to Protect Against Modern Day Threats

- Unpack how Australian administrative law can help against the emerging forces of disinformation which seek to undermine democratic institutions – and the role of the decision maker
- Examine the increasing importance of environmental considerations in administrative decision making
- Understand how administrative law might continue to be used to create change

Presented by **Kiera Peacock**, Partner, Marque Lawyers, Leading Administrative & Public Lawyer, *Doyle's Guide* 2023

The Application of Administrative Law to Planning and Environmental Decisions

- Issues that commonly arise
- Climate change litigation
- Some leading authorities

Presented by **Timothy Hale SC**, 6th Floor Selborne Wentworth Chambers

Judicial Review of Courts in Australia: Scope, Grounds, and Recent Legal Developments

- Statutory basis for Appeals: Appeals to higher courts in Australia are governed by statutes, and Parliament has the authority to restrict the scope of appeals from lower courts
- Restricted grounds for review: Jurisdictional errors
- Different treatment for jurisdictional error: the distinction between jurisdictional errors in courts and administrative decision-makers - *High Court in Craig v South Australia* (1995) and *Stanley v DPP* (NSW) [2023] HCA 3
- Limited review of superior courts: judicial review of superior courts of record, especially those with general jurisdiction, is even more constrained, *Rodden v R* [2023] which was heard by the NSW Court of Criminal Appeal

Presented by **Oliver Jones**, Barrister, Four Selborne Chambers

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

ONLINE ONLY

PERSONAL INJURY: 3 STRATEGIES TO MAXIMISE DAMAGES



WEDNESDAY, 27 MARCH 2024
11.00AM TO 2.15PM

\$420
WEB243N56Z

Gain a unique perspective from 3 industry experts who will dissect a key area related to maximising a personal injury claim. Receive insider tips on ensuring your knowledge of financial and accounting principles contribute to a better outcome for your client. Explore the law and practice that improves the ultimate result as well as creates a productive working relationship with expert medical witnesses and verify that your professional tools will maximise damages for loss of earning capacity.

Chair: **Michael Barnes**, Partner, Carroll & O'Dea

A Financial and Accounting Approach to Assessment of Damages

Presented by **Kain Elsmore**, Director, Forensic Commercial, Vincents

Maximising the Value from an Expert Medical Witness: Building the Winning Team

Presented by **Dugald McWilliams**, Barrister, Dever's List

Maximising Damages for Loss of Earning Capacity

Presented by **Petros Macarounas**, Barrister, Frederick Jordan Chambers

ATTEND AND EARN

3 CPD UNITS

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

ONLINE ONLY

LIFE INSURANCE DEATH BENEFITS AND TOTAL AND PERMANENT DISABILITY CLAIMS



TUESDAY 26 MARCH 2024
9.00AM TO 1.15PM

\$505
WEB243N48

Develop cutting edge strategies in this burgeoning area of personal injury law. Delve into the finer points of death benefit claims and the application of Section 54 of the of the Insurance Contracts Act to Life Insurance Claims. Obtain practical advice on effectively working with insurance companies and resolving claims through mediation or the AFCA dispute processes. Attend this seminar and maximise your success in this area.

Chair: **Adrian Coombes**, Barrister, Second Floor Wentworth Chambers

Death Claims: is the Death of the Public Policy "Forfeiture Rule" Exaggerated?

Presented by **Stephen Walsh**, Barrister, Sir James Martin Chambers

✔ Professional skills

Practical Advice to Lawyers Acting for Parties involved in Life Insurance Claims on Achieving a Good Outcome for Your Client

Presented by **Suzy Tay**, Senior Legal Counsel, AIA Australia

The Application of Section 54 Insurance Contracts Act to Life Insurance Claims

Presented by **Colin Purdy**, Barrister, Edmund Barton Chambers

✔ Professional skills

Mediating TPD and Life Insurance Disability Claims

Presented by **Deborah Robinson**, Barrister, 7 Wentworth Selborne

✔ Professional skills

AFCA Dispute Processes and the Role of the Lawyer

Presented by **Andrew Weinmann**, Senior Ombudsman, Life Insurance, Australian Financial Complaints Authority

ATTEND AND EARN

4 CPD UNITS

1.5 CPD units in Substantive Law
2.5 CPD units in Professional Skills

