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JULY - SEPT 2024

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3 SIMPLE WAYS TO REGISTER

WEB Click on seminar title to register online

PH 02 9387 8133

EMAIL info@legalwiseseminars.com.au

NAVIGATING CONTEMPORARY CHALLENGES IN GOVERNMENT DECISION MAKING

TUESDAY, 20 AUGUST 2024
2.00PM TO 5.15PM AEST

\$420
248N12

Explore the intricate web of government decision-making and defamation law through captivating case studies and expert insights. From dissecting the Robodebt debacle to navigating the evolving landscape of legal unreasonableness, gain invaluable perspectives from seasoned legal luminaries. Join for an afternoon of enlightenment as you delve into the crossroads of governmental, departmental and parliamentary decision making and its implications, equipping you with the knowledge to stay ahead in today's dynamic legal arena.

Chair: **Rachel Francois**, Barrister, St, James Hall Chambers

Implications for Automated Decision Making and Oversight – Robodebt Case Study

- The Robodebt Scheme – what was it?
- The Scheme unravels and failure of oversight mechanisms
- Implications for decision makers
- The future for automated decision making

Presented by **Trent Glover**, Barrister, St James Hall Chambers; Appeared for the Commonwealth of Australia in the Robodebt Royal Commission

Development of the Doctrine of Legal Unreasonableness Since Li and its Application to Government Decision Making

- Development of the doctrine of legal unreasonableness since Minister for Immigration and Citizenship v Li [2013] HCA 18; (2013) 249 CLR 332
- Recent judicial decisions concerning legal unreasonableness, including Ismail v Minister for Immigration, Citizenship and Multicultural Affairs [2024] HCA 2 and Minister for Home Affairs v DUA16 [2020] HCA 46; 271 CLR 550

Presented by **Kathleen Morris**, Barrister, Level 22 Chambers

The Intersection Between Defamation Law and Australian Parliaments

- Barilaro v Shanks Markovina (No 2) [2021] FCA 950
- Leyonhjelm v Hanson Young [2021] FCAFC 22
- Aspects of the judgment (and underlying disputes) in Lehrmann v Network Ten Pty Limited [2024] FCA 369
- Comparisons with the position of Royal Commissions – Herron v Harper Collins Publishers Australia Pty Ltd [2022] FCAFC 68

Presented by **Matthew Richardson SC**, Barrister, 153 Phillip Barristers; Appeared for Plaintiff in Lehrmann v Network Ten Pty Ltd (Trial Judgment) [2024] FCA 369

Presented by:

Rachel Francois

Rachel Francois is a barrister practising in NSW with over 20 years' experience in government and administrative law as well as in human rights, consumer protection and commercial law. Rachel regularly appears in the Administrative Appeals Tribunal, the Federal Court and on appeal in migration matters. Rachel is also involved in significant High Court administrative law cases including SZBEL (procedural fairness), SZMTA (materiality of jurisdictional error) and Viane (reliance on personal knowledge and unreasonableness).

Trent Glover

Trent Glover is one of Australia's leading public law barristers. He has a diverse practice comprising public law litigation, regulatory litigation and advising and appears regularly in the Federal Court, and State and Territory Supreme Courts at appellate level and first instance around Australia. Much of his practice comprises complex and sensitive litigation that is the focus of media attention and parliamentary scrutiny. Trent is listed in *Doyle's Guide* as a leading Australian administrative and public law barrister. Trent is currently the Chair of the NSW Bar Association's Human Rights Committee and is a member of the Inquests and Inquiries Committee, and a legal officer in the Royal Australian Navy.

Kathleen Morris

Kathleen is a barrister practicing at Level 22 Chambers, and was called to the bar in 2020. Kathleen maintains a general litigation and advice practice, appearing regularly in the New South Wales Supreme Court and Federal Court. During her legal career, Kathleen has acted and advised in a diverse range of cases including commercial, international arbitration, equity, tort, class action, insurance, regulatory, real property, public law, environmental law, and administrative law matters. Recent matters include *Whitthahn & Ors v Wakefield* [2024] QSC 2, *ACE Demolition & Excavation Pty Ltd v Environment Protection Authority* [2024] NSWCCA 4, *Avant Insurance Limited v Darshn* [2022] FCAFC 48, and *DCR19 v Minister For Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCAFC 229. Prior to coming to the bar, Kathleen worked as a solicitor at Clayton Utz, Tipstaff to Justice Gleeson of the New South Wales Court of Appeal, Judicial Associate to Chief Justice Allsop of the Federal Court of Australia and Arbitral Tribunal Secretary to Professor Doug Jones AO.

Matthew Richardson SC

Matthew's primary area of expertise is media and defamation law. He has extensive trial experience and is retained for urgent applications involving injunctive relief and suppression orders. He appears for defamation plaintiffs and defendants and gives pre-publication advice.

Since 2022 Matthew has been the Co-Chair of the NSW Bar Association Media and Information Law and Technology which amongst other masters assists the NSW Bar in advising on law reform in the defamation, privacy and AI spaces.

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

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9TH ANNUAL
CREDIT LAW CONFERENCETHURSDAY, 29 AUGUST 2024
9.00AM TO 5.15PM AEST\$795
248N18

Join industry leaders, key regulators and legal experts to examine the practical implications of the current reform agenda currently facing the banking and financial services industry. Hear a keynote address from the Minister for Financial Services, unpack legislative reforms being implemented that impact privacy, security of information and identity management, cybersecurity, data breaches, SoCI and BNPL. Gain insight into effective complaint management at AFCA and benefit from a unique panel discussion featuring a cross-section of industry associations and consumer bodies, to explore financial difficulties and hardship and the required industry response.

SESSION 1: REDUCING RISK OF LIABILITY: FINANCIAL SERVICES
REGULATORY REFORM AND THE IMPLICATIONS OF AI

9.00AM TO 1.15PM AEST \$505 248N18A

Chair: **Andrea Beatty**, Partner, Piper Alderman; Author of 'Annotated National Credit Code', the 'Australia' chapters in the 'Consumer Finance Law Review' and the 'Banking Regulation Review'

Keynote address by **The Hon Stephen Jones MP**, Assistant Treasurer and Minister for Financial Services

Professional Skills

Future of Credit Under AI and New Technology

Business bankers are navigating unprecedented challenges, including high interest rates, rising operating costs, and deteriorating credit quality. Industry leaders are adopting innovative strategies centered on leveraging both predictive and generative AI to drive growth and profitability.

- Discover how banks can embed AI across their operations to deepen customer relationships, enhance performance, and achieve sustainable growth

Presented by **Gordon Campbell**, CCO and Co-Founder of Rich Data Co

Privacy Law Reform: Status Update and Implications for Credit Providers

The privacy landscape is the subject of debate and change. This is in part due to the review of the *Privacy Act* 1988 and many reforms in adjacent areas such as security and identity management. Privacy has also been the subject of significant enforcement activity by the regulators and the subject of litigation. Some current key issues and their implications for credit providers are:

- Definition of personal information and why it matters for credit providers and providers of credit risk related services
- 'Fair and reasonable test' and scope of application
- New causes of action and how this may impact credit providers and their clients
- Lessons learned from recent incidents and enforcement activity such as Optus, Medibank and Latitude

Presented by **Olga Ganopolsky**, General Counsel Privacy & Data Macquarie Group; Chair Privacy Committee Business Law Section Law Council of Australia

Cybersecurity: Compliance with Cybersecurity Regulations and Breach Reporting Requirements

- Security of Critical Infrastructure (SoCI) framework
 - The role of SOCI legislation in the overall cybersecurity regulatory landscape
 - Complying with SOCI and the Critical Infrastructure Resilience Strategy
- CPS230 Operational Risk Management Standard
 - Interaction with SoCI
 - Compliance by 2025 deadline
- The role of governance across all of the cybersecurity obligations
- Data breach and reporting cyber incidents

Presented by **Steven Klimt**, Partner, Clayton Utz; Recognised in *Best Lawyers Australia* for Banking and Finance (2013-2024), Government (2021-2024) and Regulatory Practice 2014-2024); and **Craig Subocz**, Partner, Piper Alderman

Buy Now Pay Later: Implications of Guidance and Reforms

- AFIA's Industry Guidance on BNPL
- Draft legislation
- Economic impacts of BNPL

Presented by **Sebastian Reinehr**, Senior Policy Director, Australian Finance Industry Association (AFIA)

SESSION 2: NAVIGATING CURRENT CHALLENGES: AFCA
COMPLAINTS, FINANCIAL HARDSHIP AND RECENT DECISIONS

2.00PM TO 5.15PM AEST \$420 248N18B

Chair: **George Halikiotis**, Partner, Piper Alderman

Professional Skills

An Insight from AFCA: Effective Complaint Management

- Overall AFCA update
- The lifecycle of a complaint made to AFCA regarding a disputed transaction
- Tips to facilitate effective complaint management

Presented by **Katrina Hack**, Head of Service Delivery – Banking, Australian Financial Complaints Authority (AFCA)

Professional Skills

Implications of Customer/Consumer Financial Difficulties in the Current Climate

As increasing numbers of Australians struggle with cost-of-living pressures, the issue of financial difficulties and financial hardship, and the role that financial institutions play in this arena, has been highlighted in the press and in industry guidelines.

Join a review of the issues that they see consumers facing, the industry response and further improvements that need to be addressed

- Industry overview of financial hardship implications for banking and financial services industry players
- Navigating enabling access to help - What help is available? Both formal and informal assistance
- Areas for improvement in this arena

Facilitator

Ian Lockhart, Partner, Minter Ellison; Co-author of 'Banking and Finance' chapter in *Financial Services Loose Leaf Service*

Panellists:

Neva Skilton, Senior Ombudsman, Australian Financial Complaints Authority (AFCA)
Alexandra Kelly, Director of Casework, Financial Rights Legal Centre
Steve Blinkhorn, Director Legal Affairs, Australian Banking Association (ABA)
Peter White AM, Managing Director, Finance Brokers Association of Australasia (FBAA)

Implications of the Most Recent Cases Affecting the Credit

- Examine the implications of recent banking and financial services cases and decisions

Endorsed by:



Australian
Finance
Industry
Association



ATTEND AND EARN

4 units in Substantive Law
3 units in Professional Skills

7 CPD UNITS

RESIDENTIAL CONSTRUCTION DISPUTES INTENSIVE: DEFECTIVE WORKS, DELAYS AND PRICE INCREASES



WEDNESDAY, 14 AUGUST 2024
1.00PM TO 2.00PM AWST

\$160
WEB248W01

The challenges are growing within the residential building industry, where a perfect storm of factors has led to a significant spike in building claims from disgruntled owners. Complaints to builders and the building commission have doubled between 2020 and 2023, reflecting increased dissatisfaction and referrals from the Building Commission to the State Administrative Tribunal have surged. With the trends showing no signs of abating, attend and gain valuable insights and practical solutions to address the rising tide of building claims in Western Australia.

Chair: **Scott Ellis**, Barrister, Francis Burt Chambers

Residential Construction Disputes Intensive: Defective Works, Delays and Price Increases

Benefit from a focused session on claims made by owners against builders and consider the three main common categories of building disputes which become litigious: delay, price increases and defective works:

- Home Building Work Contract:
 - As defied under the BSCRA
 - HIA and Master Builders Contracts
 - What all HBW Contracts have in common
- Making a claim under the BSRA:
 - Claim for defective works:
 - Practical Completion Inspection
 - Minor versus significant defects
 - Notice of Proposed Complaint
 - Building Commission Complaint
 - What the Building Commission will do?
 - No resolution, referral to SAT
 - Process in SAT
 - Claims for delay under Contract:
 - Relevant contractual clauses relating to delay and extensions of time and liquidated damages
 - Claims for extension of time (EOTs) by builders
 - SAT commentary on EOTs
 - Owner making a claim for delay against builder
 - Claims opposing price increases:
 - Relevant contractual clauses relating to price increases
 - Statutory regime for price increases
 - Builder claims for price increases and the basis upon which they are legitimate or invalid
 - SAT commentary on price increases
 - Owner making a claim for to dispute price increase against builder

Presented by **Jonathan Jacobson**, Commercial Litigator, Jacobson & Associates

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law

4 CRITICAL CONSTRUCTION LAW REFORMS: BUILDING BILL, DBPA, SOPA & UNFAIR TERMS



WEDNESDAY, 18 SEPTEMBER 2024
9.00AM TO 1.15PM AEST

\$505
WEB249N12

Don't ignore these top 4 construction legislation reforms! When a failure to understand and implement the reforms of the DBP Act, Building Bill, Unfair Contracts Terms legislation and the Security of Payment Act (SOPA legislation) into your construction contracts, it can have dire consequences for all parties involved – ensure you're across the biggest legislative issues affecting the sector right now. With legal landmines around every corner, breakdown landmark cases, ensure compliance and fairness in your contracts and minimise contractor risk with adherence to provisions.

Chair: **Danny Feller SC**, 2 Selborne Chambers

BREAKING GROUND: KEY LEGISLATIVE DEVELOPMENTS IN CONSTRUCTION LAW

Design and Building Practitioners Act Update

- Recent case law developments
- Breadth of duty of care: extension beyond residential construction
- Apportionability post *Pafburn*
- Step in risks: risks for parties stepping in to complete projects (e.g. on insolvency)

Presented by **Alex Hartmann**, Partner, Baker & McKenzie; Recommended Construction & Infrastructure Litigation Lawyer, *Doyle's Guide* 2015-2024

Building Legislation Amendment Bill 2023 Update

With the introduction of the Building Bill by the government, intended to create end-to-end accountability for building works in NSW, benefit from a timely update to ensure you're across the it's key features and consider the impact on your construction law practice, including:

- Investigating residential building works
- Rectification Orders
- Stop Work Orders
- Building product safety: chain of responsibility

Presented by **Mario Rashid-Ring**, Senior Associate, Bartier Perry; Accredited Specialist in Commercial Litigation

Navigating the New Unfair Contract Terms Legislation in Building Contracts

- Examining of the scope of the legislation in the context of building contracts
- Matters to consider when drafting contracts
- Litigating unfair contract term cases

Presented by **Jonathan Adamopoulos**, Barrister, 7 Wentworth Selborne; Recommended Construction & Infrastructure Junior Counsel, *Doyle's Guide* 2024

Drafting and Administering Contracts with One Eye on the Latest Security of Payment Laws

Be provided with practical guidance on how to draft and administer construction contracts consistently with the Building and Construction Industry Security of Payment Act 1999, including with respect to due dates for payment, pay when paid provisions, deeming provisions and more.

Presented by **Sarah Hammond**, Partner, Moray & Agnew Lawyers

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

ADVANCED STRATEGIES FOR BUSINESS SUCCESSION PLANNING

THURSDAY, 15 AUGUST 2024
9.00AM TO 5.15PM AEST

\$795
WEB248N11

Uncover practical knowledge and actionable solutions to ensure smooth, sustainable business transitions for your clients that are tax effective and that the structure aligns with their succession needs. Explore critical topics and gain essential skills and understanding to become the trusted advisor. You will unravel current issues such as vital taxation considerations that drive the structure, ownership structures, succession agreements drafting, leadership transition complications in family businesses and the current M&A market. Truly understand the impacts on your client's succession questions and your advice.

SESSION 1: STRATEGIC M&A INSIGHTS AND TAXATION CONSIDERATIONS FOR BUSINESS SUCCESSION

9.00AM TO 1.15PM AEST \$505 WEB248N11A

Chair: **Christopher Bevan**, Barrister, Eight Wentworth Chambers

Understanding Current M&A Activity and Market Updates for Being Sale Ready

- Overview of current M&A activity & the Australian deal landscape
- Being deal ready: preparing a business for sale & process overview and timeline
- Pricing a deal: valuation overview and key considerations

Presented by **Steven Perri**, Partner, PKF Melbourne

CGT Rollovers: Known Knowns and Known Unknowns

CGT rollovers appear deceptively simple, but the requirements are complex and onerous.

Examine the traps within some of the rollovers used in restructuring private groups and the interaction of those rollovers with other areas of tax law.

Presented by **Neil Brydges**, Principal Lawyer, Sladen Legal; Leading Tax Lawyer – Victoria, *Doyle's Guide* 2023

Division 7A and the Decision in Bendel

- Application of Division 7A to unpaid present entitlements
- The decision in Bendel and Commissioner of Taxation [2023] AATA 3074, how it differs from the ATO's current approach
- Views of the ATO following Bendel: published and in practice
- Practical tips for getting Division 7A right, including strategies for dealing with unpaid present entitlements

Presented by **Jane Harris**, Senior Associate, Brown Wright Stein Lawyers; Chartered Tax Advisor

Section 100A: Ensuring Compliance and Strategic Planning for Business Succession

- What is a reimbursement agreement?
- The ordinary dealings exception
- Current ATO guidance in TR 2022/4 and PCG 2022/4
- Implications for trustee distribution resolutions

Presented by **Stuart Le Cornu**, Partner, Fordham; CA, CTA

SESSION 2: STRUCTURING YOUR BUSINESS FOR A SEAMLESS TRANSITION

2.00PM TO 5.15PM AEST \$420 WEB248N11B

Chair: **Sophie Cohen**, Director, Aintree Group Legal

Comprehensive Testamentary Plans for Business Succession

- Identifying business ownership structures
- What does a good succession agreement contain
- How should a personal business interest be dealt with in a will
- Planning for the unexpected: the role of powers of attorney

Presented by **Michael Mobberley**, Senior Associate, Estate Planning & Probate, Avant Law; Accredited Specialist, Wills & Estates

Professional Skills

Leadership Transition: Strategising Smooth Handovers for Sustainable Business Continuity

Family businesses make up 70% of our economy yet only 12% make it to the 3rd generation. The Grant Thornton Australia 2023 Family Business survey shows the 3 major issues concerning family businesses are:

- Cashflow
- Attracting & retaining staff
- Succession

Navigate the 7 challenges family businesses face in transitioning the family business to the next generation so that you are able to properly advise your family business clients. Work through a roadmap to overcome their challenges.

Presented by **Kirsten Taylor-Martin**, National Head - Family Business Consulting, Partner - Private Business Tax & Advisory, Grant Thornton Australia

Business Property in Superannuation and Death

Impact on the death of a member in an SMSF that owns business premises

- Issues that present
- Strategies to mitigate when death comes to soon
- Proactive strategies relating to the structure and makeup of the fund to avoid common issues

Presented by **Lindzee-Kate Tagliaferri**, Superannuation Manager, Cooper Partners

“ Quality lineup of speakers and informative presentations ”

ATTEND AND EARN

6 units in Substantive Law
1 unit in Professional Skills

7 CPD UNITS

CONTRACTUAL MECHANISMS FOR ASSET PROTECTION



THURSDAY, 8 AUGUST 2024
1.00PM TO 5.15PM AEST

\$505
WEB248N06

Is it an asset or security? In more uncertain business environments, it becomes even more essential to implement all possible contractual mechanisms for client asset protection. This session will show you how to draft, review, and negotiate contracts effectively for asset protection. Discover the latest strategies to safeguard your clients' interests and ensure strong protection. Investigate insurance clauses and compliance, security interests' decisions, practical applications and enforcement plus essentials of including IP asset protection through contractual mechanisms.

Chair: **Joel Hanrahan**, Managing Director, Global Markets at Mosaic Capital and Advisory

Protecting Against Emerging Risks: Insure, Comply, Mitigate

- Emerging cyber risk and ASIC compliance requirements (including privacy)
- Asset preservation (and knowing what is not recoverable)
- Internal compliance to mitigate risk and reduce exposure as well as insurance premiums
- ESG and greenwashing risk for certain sectors
- Contract powerplay and insurance clauses for small businesses

Presented by **James Stanton**, Senior Associate, MinterElison

IP Asset Protection in Your Transactions

- What IP will be transferred?
- Where will the IP go to?
- 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* 2023, Commercial Law; *Best Lawyers* 2023, Information Technology Law 2018-present

Safeguarding Client Assets: Recent Decisions and Key Considerations for Security Interests

- Exploring the impact of recent decisions on security interests and asset protection mechanisms
- From legal rulings to practical applications: implementing effective contractual measures to safeguard client assets and ensure compliance
- Strategies & best practices

Legal Precedents to Strengthen Client Asset Protection

Presented by **Stipe Vuleta**, Managing Director and Strategic Advisory, Chamberlains Law Firm

Enforcing General Security Interests Under the Personal Property and Securities Act 2009

Understanding the Crucial Role of Contract Mechanisms in Enforcing General Security Interests

- Contractual strategies for mitigating risk
- Drafting, reviewing and negotiating contracts effectively to protect your client's assets
- Navigating legal compliance nightmares: How contract mechanisms can shield against emerging risks and regulatory challenges
- Contractual powerplay: mastering enforcement strategies to protect assets and ensure robust legal compliance

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

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

NEW UNFAIR CONTRACTS TERMS: THE RISKS AND ENFORCEMENT POSSIBILITIES



WEDNESDAY, 21 AUGUST 2024
9.00AM TO 12.15PM AEST

\$420
WEB248N13

After six months of the new regime, which now wields sharper teeth than ever before, it is crucial to understand the best way to act. It's time to explore internal protocols for drafting, reviewing, and negotiating standard contracts, how to protect your business clients' interests while mitigating the risk of being deemed unfair, and how courts are approaching enforcement action under the new Unfair Contracts legislation. Most importantly understand the risks for both legal advisors in accessorial liability in addition to the parties to the contract.

Chair: **Samuel J. Wolff**, Senior Fellow, Melbourne University

Are Lawyers Becoming Accomplices? The Risk of Accessorial Liability Under the Unfair Contract Law Regime for Lawyers who Prepare Standard Form Contracts

- The requirements for accessorial liability for being knowingly involved in a contravention
- The contraventions that exist for using unfair contract terms
- There is a risk to lawyers of being an accessory to a contravention by reviewing or drafting unfair terms

Presented by **Peter Sise**, Special Counsel, Clayton Utz

Best Practices for Drafting Standard Form Contracts Under New Legislation

- Contracts based on standard form contracts
- Identifying and recording legitimate interests
- Drafting in the absence of clear judicial interpretation

Presented by **Colin Harris**, Partner, HWL Ebsworth Lawyers

Latest Cases, Enforcement and Court Approaches

- An overview of recent Unfair Contract Terms cases and enforcement
- Exploration of recent cases
- Can we see any trends?
- What lessons can we learn?

Presented by **Kevin Stewart**, Lawyer, Gilbert + Tobin

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

MERGERS & ACQUISITIONS: REGULATIONS, DUE DILIGENCE AND STRUCTURING



TUESDAY, 24 SEPTEMBER 2024
2.00PM TO 5.15PM AEST

\$420
WEB249N18

In the wake of the current economic crisis, businesses are turning to strategic mergers and acquisitions to navigate challenges and uncover opportunities for growth. Explore the impact of new merger regulations, the necessity of thorough due diligence in the digital era, and effective approaches to business valuation and deal structuring. Attendees will gain essential insights into navigating the evolving legal landscape and harnessing the potential for growth despite economic uncertainties.

Chair: **Andrew McFarlane**, M&A Partner, Advisory, BDO Australia

New Regulations and Reforms for Strengthening Merger Law

- Requirement for mandatory notification for merger deals and determination from the ACCC or Tribunal
- New statement of expectations and intent
- Outlining policies, objectives and priorities

Presented by **Ian Reynolds**, Partner, Corrs Chambers Westgarth; Rising Star Australia, Competition and Trade, *Legal 500*

Due Diligence in Digital Age

- What is the point of due diligence in the context of an M&A transaction?
- What is 'best practice' for conducting a legal due diligence exercise?
- How should legal due diligence be conducted in a digital age?
- Useful digital tools in conducting a legal due diligence
- New areas of legal review in a digital age

Presented by **Gerry Cawson**, Director, Kain Lawyers; Preeminent Corporate Lawyer – South Australia, *Doyle's Guide 2024*

Business Valuation and Deal Structuring

- Professional standards and best practices
- Identifying different valuation methodologies and selecting the best one
- Recognising value drivers in the business and avoiding common valuation errors

Presented by **Nicole Pedler**, Partner, Corporate Group, Herbert Smith Freehills and **Mia Harrison-Kelf**, Partner, Herbert Smith Freehills

SUSTAINABILITY REPORTING, CLIMATE CHANGE, AND HUMAN RIGHTS



WEDNESDAY, 21 AUGUST 2024
2.00PM TO 4.00PM AEST

\$305
WEB248N09

Join us for an afternoon exploring updates in the future of sustainability reporting and climate change litigation in Australia. Discover practical strategies to enhance data accuracy, transparency, and stakeholder engagement, moving beyond mere compliance to achieve excellence and mitigate litigation risk. Gain valuable insights into the intersection of climate change and human rights, looking into the landmark *Klimaseniorinnen V Switzerland* case.

Chair: **Kate Green**, Partner, Norton Rose

Sustainability Reporting in Australia: A Tipping Point

- Sustainability reporting and impact on legal/professional services industry
- Mandatory Climate Related Reporting - impact of climate change
- Practical implementation pitfalls of sustainability reporting
- Discuss successful approaches from other jurisdictions
- Discuss practical advice for data accuracy, transparency, and stakeholder engagement to mitigate litigation risk
- Sustainability as a strategic priority

Presented by **Andrew Rigele**, National Managing Partner (ESG), Grant Thornton and **Samantha Sing Key**, Director Sustainability Reporting, Grant Thornton

Climate Change and Human Rights: A Consideration of The *Klimaseniorinnen V Switzerland* Case and Potential Implications for Businesses in Australia

- An overview of the key issues in the *Klimaseniorinnen* case
- The increasing relevance of human rights-based arguments in climate change litigation
- Other international developments in relation to human rights and climate change, including the impact of the EU CSDDD
- Lessons learned from the global landscape and implications for businesses in Australia (including in the context of the modern slavery review)

Presented by **Sarah Martin**, Consultant, Gilbert + Tobin

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

ATTEND AND EARN

2 CPD UNITS

2 units in Substantive Law

IN-HOUSE 10 POINTS LUNCHTIME ESSENTIALS SERIES

TAKING PLACE OVER 9 SESSIONS FROM
TUESDAY 13 AUGUST - TUESDAY 28 NOVEMBER 2024 AEST

\$990
WEB248N16

Attend this lunchtime series designed specifically for In-House Counsel to gain an update on the latest legal and commercial issues and risks impacting governance and In-House Counsel each day. Learn practical tips on how to deal with sexual harassment in a 2 hour session to kick off the series. Hear key takeaways for IP, consumer law, advertising, and marketing law, how to tackle the 'S' in ESG, make sure your business is ready for legislative changes in employment law and that you understand how to create and protect legal professional privilege in your role. Ensure that you understand the UCT provisions and hear some practical guidance regarding these, gain a timely update on cyber risk and cyber insurance as well as on risks and indemnities included in contracts. Hear practical tips on how to manage working with external counsel and internal stakeholders and steps you can implement to reduce the risk of accusations of greenwashing.

WORKPLACE SEXUAL HARASSMENT: PRACTICAL GUIDE TO COMPLIANCE

TUESDAY, 13 AUGUST 2024
12.00PM TO 2.00PM AEST

\$305
WEB248N16A

Practice Management and Business Skills

Who is Responsible? The Role of Directors and Senior Managers in Addressing Sexual Harassment

- How directors and senior managers can influence the culture, including their responsibilities
- Personal liability of directors and senior management for sexual harassment
- Vicarious liability: What does this mean for the company and individuals?
- Potential exposure: how the courts are dealing with these types of claims
- What's on the horizon - including the impact of the *Australian Human Rights Commission Amendment (Cost Protection) Bill* and confidentiality agreements

Presented by **Erin Lynch**, Partner and **Emma Anderson**, Senior Associate, Gadens

Professional Skills

Meeting Your 'Positive Duty' Obligation in Practice

- What practices and processes should be implemented throughout the organisation
- Mistakes and common failings made by Senior Managers in processes and procedures
- How to respond to a sexual harassment complaint
 - Impact of the reforms on conducting investigations
 - Common tips and traps
- Scenarios and examples to learn from

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

KEY TAKEAWAYS FOR IN-HOUSE COUNSEL: IP, BRAND PROTECTION, ADVERTISING AND MARKETING LAW

WEDNESDAY, 28 AUGUST 2024
1.00PM TO 2.00PM AEST

\$160
WEB248N16B

Key Takeaways for In-House Counsel: IP, Consumer Law, Advertising and Marketing Law

- Brand protection and enforcement including tag lines and slogans
- IP licensing in corporate groups
- New media and personalities
- Confidential information claims including confidentiality of new ideas in informal pitches
- Advertising and marketing – recent cases
- Hot topic risk issues

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

HOW TO TACKLE THE 'S' IN ESG

THURSDAY, 5 SEPTEMBER 2024
1.00PM TO 2.00PM AEST

\$160
WEB249N16C

How to Tackle the 'S' in ESG

The three pillars of ESG (environmental, social and governance) are a focus for Boards and organisations globally, but where does the 'S' of ESG fit? In a time of social activism, what does it mean for companies seeking to lead in this pillar? To what extent has ESG become too "woke" and what challenge does this present?

- The risks, controls and strategies for organisations striving towards best practice across the 'S'
- Explore recent international developments
- Diversity and inclusion, employee and community engagement and human rights commitments

Presented by **Sean Selleck**, Partner, **Sara Summerbell**, Special Counsel, **Lauren Miller**, Associate, Baker McKenzie

RECENT CHANGES TO EMPLOYMENT LAW: WAGE THEFT, UNDERPAYMENTS, FIXED TERM CONTRACTS AND CASUAL EMPLOYMENT

THURSDAY, 19 SEPTEMBER 2024
1.00PM TO 2.00PM AEST

\$160
WEB249N16D

Recent Changes to Employment Law: Wage Theft, Underpayments, Fixed Term Contracts and Casual Employment

- Underpayments and wage theft – what does it mean, what to do?
- New wage theft laws
- Laws dealing with fixed term contracts
- Casual employment

Presented by **Sarah Ralph**, Oceania Law Leader, EY

FOR ALL INTENTS AND (DOMINANT) PURPOSES: CREATION AND PROTECTION OF LEGAL PROFESSIONAL PRIVILEGE FOR IN-HOUSE COUNSEL

TUESDAY 15 OCTOBER 2024
1.00PM TO 2.00PM AEST

\$160
WEB2410N16E

For All Intents and (Dominant) Purposes: Creation and Protection of Legal Professional Privilege for In-House Counsel

- The special position of in-house counsel and privilege (aka "client" legal privilege when the client is the employer)
- The "lawyer hat" and the "business hat" – where is the line drawn for in-house counsel who advise on commercial matters?
- Privilege and investigation reports – what are the lessons for in-house counsel from the Optus data breach decision?

Presented by **Angus Macinnis**, Director of Dispute Resolution, StevensVuaranlawyers

ATTEND AND EARN

8 units in Substantive Law
1 unit in Professional Skills
1 unit in Practice Management and Business Skills

10 CPD UNITS



IN-HOUSE 10 POINTS LUNCHTIME ESSENTIALS SERIES CONTINUED

UNFAIR CONTRACTS & WORKING WITH EXTERNAL COUNSEL

THURSDAY, 24 OCTOBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2410N16F

Unfair Contracts & Working with External Counsel

- Understanding the UCT provisions
 - War stories and practical guidance
 - Key concepts
 - Pitfalls and risks
 - Advising business stakeholders
- Working with External Counsel
 - Tips for billing and budgeting - it does not need to be painful
 - Managing internal stakeholders
 - Aligning values and advice
 - Forming a team which is more than the sum of its parts

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

GREENWASHING: A PRACTICAL GUIDE FOR IN-HOUSE COUNSEL

WEDNESDAY, 30 OCTOBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2410N16G

Greenwashing: A Practical Guide For In-House Counsel

- What is "greenwashing" and what are the key legal risks?
 - Update on current regulatory objectives and priorities
 - Recent enforcement activity in Australia and globally
 - Practical guide for in-house counsel to mitigate risks
- Presented by **Martyn Taylor**, Partner, Norton Rose Fulbright Australia and **Zoe Lonard**, Special Counsel, Norton Rose Fulbright Australia

CONTRACT LAW IN THE CURRENT ECONOMIC CLIMATE: RISK, LIABILITY, LIMITATION OF LIABILITY AND INDEMNITIES

TUESDAY, 12 NOVEMBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2411N16H

Contract Law in the Current Economic Climate: Risk, Liability, Limitation of Liability and Indemnities

- Risk: How best to manage and allocate risk
 - Indemnities: Risky or beneficial?
 - What role does insurance play?
 - Limitations: What to limit, when and how
 - How to draft (or redraft) all of this in a way that works
- Presented by **Daniel Gosewisch**, General Counsel, WorkPac Group

CYBER INSURANCE: WHAT YOU NEED TO KNOW

TUESDAY, 28 NOVEMBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2411N16I

Cyber Insurance, What You Need to Know

Understand from an experience insurance litigator what cyber insurance covers, what happens when there is a cyber security breach and the steps involved with a cyber insurance claim.

Presented by **Jehan Mata**, Partner, Sparke Helmore Lawyers

**REGISTER FOR JUST THE 1-HOUR
LUNCH TIME SESSION THAT MATCH YOUR
INTERESTS OR BOOK ALL 9 AND SAVE!**

ATTEND AND EARN

10 CPD UNITS

8 units in Substantive Law
1 unit in Professional Skills
1 unit in Practice Management and Business Skills



NAVIGATING DOMESTIC VIOLENCE CASES AND NEW COERCIVE CONTROL LEGISLATION IN NSW

WEDNESDAY, 4 SEPTEMBER 2024
2.00PM TO 5.15PM AEST

\$420
WEB249N02

Family violence matters and their implications are increasing. Examine the new Coercive Control Legislation and effective strategies for clients facing charges under new legislation. Gain insights directly from the Bench regarding the changing landscape of AVOs. Navigate evolving bail and sentencing issues while managing client expectations. Explore the intersection of Family and Criminal Law and the significance of future risk assessment in relation to family violence. This session is a jam-packed 3-hour event that you won't want to miss given the current violence crisis.

Chair: **Helen Christinson**, Partner, Hugo Lawyers, Recommended Criminal Defence Lawyers, *Doyle's Guide 2023*

VIEW FROM THE BENCH

Navigating Lapsing AVOs in Cases without Formal Charges

Presented by **Her Honour Magistrate Jenny Atkinson**, Local Court of New South Wales

Advising Clients Charged Under the New Coercive Control Legislation

- Overview of the new Coercive Control Legislation
- Strategies for advising clients charged under this legislation
- Exploring issues for a defence case
- Practical guidance for navigating the legal process and supporting clients

Presented by **Hayley Dean**, Solicitor Advocate, Legal Aid, Accredited Specialist in Criminal Law

Sentencing and Bail Applications for DV Accusers: Managing Client Expectations in Light of Latest Developments

- Serial family violence declarations and their implications in criminal proceedings
- Bail applications where someone has been charged with DV/serious family violence offence/s
- Pleas in mitigation for Family Violence Order offences
- Where do we stand on bail?

Presented by **Carolina Soto**, Barrister, Black Chambers

Myth Busting the Intersection Between Family Violence Restraining Orders and Family Law

- Allegations vs findings of guilt and the impact both have in family law proceedings
- How future risk is the indicator of unacceptable risk
- The Right to Silence vs the compulsion to file

Presented by **Samantha Lewis**, Principal and Director, Lewis Family Lawyers; Accredited Specialist in Family Law

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law



REPRESENTING ABORIGINAL CLIENTS IN CRIMINAL LAW

TUESDAY, 10 SEPTEMBER 2024
2.00PM TO 5.15PM AEST

\$420
WEB249Q05

This program is designed with criminal lawyers in mind, providing strategies and insights to protect your clients during investigations and questioning, particularly addressing challenges faced by Aboriginal individuals who are accused, detained, arrested, and during bail applications and sentencing. You will examine *Bugmy v The Queen* [2013] HCA 37 and the Bugmy Bar Book, delving into sentencing principles and exploring current trends to keep your eye on. With a focus on the rights of Aboriginal clients and guidance from legal experts such as Linda M. Ryle, Self Rumbewas, Kerala Drew, and Danae Younger, this program equips you with the necessary tools to effectively defend your clients' rights within the criminal justice system.

Chair: **Linda M. Ryle**, Director CALM Australia & WELA - Women in Environmental Leadership Australia, First Nations Mediator, Exec CQ/ CPP Coach

OPENING PRESENTATION BY THE CHAIR

Cultural Awareness & Respect for Traditions and Practices: Culturally Appropriate Skills

Aboriginal Clients Detained or Arrested

- Safeguards during investigation and questioning
- Awareness of regulations, including rights to legal representation and support persons during detention or arrest
- Familiarity with the custody notification service
- Knowledge of provisions in the crime

Presented by **Nick Hanly**, Solicitor, Aboriginal and Torres Strait Islander Legal Service

Bail Applications for Aboriginal Clients

- Ensuring bail conditions are appropriate and understood by the client, avoiding undue hardship
- Inquiring about family or support networks that can assist with bail conditions
- Highlighting special vulnerabilities or needs of aboriginal accused persons during bail applications
- Encouraging continuity of client representation to build trust and avoid distress from repeated storytelling

Presented by **Kerala Drew**, Barrister-At-Law, Holmes Chambers

Sentencing Aboriginal Clients

- *Bugmy v The Queen* [2013] HCA 37
- The Bugmy Bar Book
- Sentencing principles
- Sentencing trends and approaches

Presented by **Danae Younger**, Barrister-At-Law, Nationally Accredited Mediator, Sessional Member QCAT

ATTEND AND EARN

3 CPD UNITS

3 CPD hours in Substantive Law



CRIMINAL LAW ADVOCACY ESSENTIALS: NON-COURT ADVOCACY, EVIDENCE, CROSS- EXAMINATION, PLEAS AND SENTENCING

THURSDAY, 5 SEPTEMBER 2024
2.00PM TO 5.15PM AEST

\$420
WEB249V04

The secret sauce is to control the controllable as best you can. Master the essential skills for the criminal law advocacy. Navigate the importance of strategic non-court advocacy. Gain guidance on getting your evidence admitted, cross examination, pleas and sentencing. Be prepared. Setting your case on the right path may mean the difference for you and your client.

Professional Skills

"Non-Court" Advocacy

- Understanding the prosecution brief
- Formulating the defence case theory (incorporating instructions)
- Negotiating charges and summary of alleged facts with the prosecution
- Agreed facts, admissions, and resolutions
- SCC email: communication with prosecutors

Presented by **Emma Turnbull**, Director, Emma Turnbull Lawyers; Accredited Criminal Law Specialist

In the Hot Seat: Maximising Evidence and Cross-Examination

- Rules of evidence
- Coincidence and tendency evidence
- Mitigation through evidence of rehabilitation
- Other decisions of importance
- Cross examination: dos and don'ts
- How to lose a case
- Cross examining children and vulnerable people

Presented by **Dr. Felicity Gerry KC**, Barrister, Crockett Chambers

Pleas and Sentencing in Victoria: Practice Guide

- Factors influencing sentencing decisions
- Understanding the role of the defence and prosecution in plea negotiations
- Best practices for effective pleas

Presented by **Melinda Walker**, Principal, Melinda Walker Criminal Law Solicitor; Accredited Specialist in Criminal Law



**ACCREDITED SPECIALISTS
ARE REQUIRED TO COMPLETE
MORE UNITS OF CPD EACH YEAR**

ATTEND AND EARN

3 CPD UNITS

2 units in Substantive Law
1 unit in Professional Skills

REPRESENTING YOUTH IN THE CRIMINAL JUSTICE SYSTEM



THURSDAY, 12 SEPTEMBER 2024
2.00PM TO 5.15PM AWST

\$420
249W07

There is a crisis of youth in the criminal justice system and representing youth requires specialist understanding. It's crucial to be across the practical pathways in navigating this complex system. Gain a comprehensive and practical approach and advocacy tips from experts on representing young people plus the case updates to assist you. You will cover issues from arrest through to completion including unlawful arrests, mental health and domestic violence considerations, challenges related to adult and juvenile co-offenders, bail, sentencing and more during a dynamic 3-hour session. Join us in person or watch online to receive guidance on navigating these issues and ensuring equitable treatment for your client.

Chair: **April Jarmoszewicz**, Lawyer, Investigation & Enforcement Action, Enforcement & Compliance, Australian Securities and Investments Commission

Looking Ahead: Present Status and Future Changes

- Watch-houses, detention, and bail updates
- Monitoring devices: what's new
- Addressing serious repeat offenders
- Domestic violence in youth sentencing: why it matters
- Representing indigenous children, youth & families

Presented by **Melissa Sandars**, Principal and Director at Mel Legal

A Guide to Representing Children and Young Persons from Arrest to Completion

- Unlawful arrest and detainment
- How to advocate for youths in custody
- Balancing the rights and needs of young persons
- Navigating capacity and other considerations
- Effective advocacy and representation in the Children's court
- Impact of expert reports on court decisions, bail, and sentencing outcomes for youth
- Challenges and ethical considerations

Presented by **Eloise Barker**, Principal and Managing Lawyer, Timpano Legal

Reviewing Key Decisions of the Year, with Subsequent Issues Discussed

- Focus on splitting/joining of adult and juvenile co-offenders and associated issues
 - Challenges in the justice system when handling cases involving co-offenders of different ages
 - Complexities involved in determining the fitness of youth offenders to stand trial, including assessments of cognitive development, maturity, and capacity to understand legal proceedings
 - Impact on sentencing, rehabilitation prospects, and the balance between accountability and protection
 - Strategies
 - Review of significant cases

Presented by **Shirley Casey**, Barrister, Albert Wolff Chambers



"MITIGATION" OF DAMAGES IN DEFAMATION



TUESDAY, 23 JULY 2024
1.00PM TO 2.00PM AEST

\$160
WEB247N02

Ready to deepen your knowledge and enhance your legal strategy in defamation proceedings? Explore how the concept of mitigation can be shifted from the plaintiff's obligation to the defendant's strategic defence. Examine how actions like issuing apologies or presenting evidence of previous compensations or even evidence of the "directly relevant background context" can significantly reduce awards in defamation suits. Attend and master the art of mitigating damages in your next defamation case.

"Mitigation" of Damages in Defamation

- What is "mitigation" of damages in defamation?
- In what circumstances can a court reduce the damages which would otherwise have been awarded to a plaintiff on the basis of evidence concerning the plaintiff's character and reputation?
- What is the scope of the principle in *Burstein v Times Newspapers Ltd* [2001] 1 WLR 579?
- In what circumstances can a court reduce the damages which would otherwise have been awarded to a plaintiff on the basis of the plaintiff's conduct during the trial?

Presented by **Bruce Connell**, Barrister, Fourth Floor, Selborne Chambers

Bruce Connell

Bruce Connell has a commercial and equity practice, including companies, trade practices and trusts. He also has a practice in defamation and other aspects of media law.



NEW INTERACTIVE RECORDINGS -

Gain all your CPD Points with interactive online learning

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law

THE CIVIL LITIGATOR'S TOOLKIT: PLEADINGS, AFFIDAVITS & EXPERTS



INTERACTIVE RECORDING

\$505
OND246N14

Master the art of drafting compelling pleadings, and affidavits through an advanced tutorial, enriched with practical examples. Acquire a checklist to guarantee effectiveness. Enhance your affidavit drafting and witness statement skills for trial preparation with tips and examples. Gain strategic insights on working with experts to advance your client's case.

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

Professional Skills

Drafting Effective Pleadings: An Advanced Tutorial

- Key differences between pleadings rules across State and Federal jurisdictions
- The distinction between material facts and particulars, by reference to examples
- Making proper requests for particulars
- Avoiding deemed admissions in pleadings
- Applying to withdraw admissions made in pleadings
- Dealing with a defective pleading: To strike out or not?
- Pleading and particularising allegations of agency
- Some examples of defective pleadings, and how to avoid these problems

Presented by **Jane Muir**, Barrister, Gerard Brennan Chambers

Professional Skills

Preparing Affidavits and Witness Statements for Use at Trial

- Ascertaining
 - The issues in the action
 - The relevant rules for the court
 - The format required
- Using background and documents
- Checking ethical responsibilities
- Drafting recommendations
- Tips for speaking to a witness close to the hearing

Presented by **Craig Slater**, Barrister, Francis Burt Chambers

Professional Skills

A Guide to Working with Experts: Advanced Practical Tips

- Context: the role of expert evidence
 - The objects and duty of the expert witness
 - Procedural refresher
- Exploration of practical issues including
 - Deciding whether you need an expert
 - The lawyer's role in the preparation of expert reports
 - Expert reports and privilege
 - What counts as an 'expert report'?
 - Withholding disclosure where fraud is suspected

Presented by **Nola Pearce**, Barrister, Chambers 33

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Professional Skills

CIVIL LITIGATOR'S TOOLKIT: PREPARING FOR TRIAL, SETTLEMENT & ADR MEDIATION



THURSDAY, 22 AUGUST 2024
1.00PM TO 5.15PM AEST

\$505
WEB248N02

Work step by step through what you need to do to successfully prepare for trial, from planning your witness statements and pre-trial vs trial evidence, to preparing evidence and making opening submissions. Walk away with valuable strategies concerning settlement offers and drafting enforceable settlement agreements. Gain insights into how to emerge successful in mediation, by getting the tips on how to deal with the Mediator.

Professional Skills

A Guide to Preparing for Trial

- Establishing a plan and a strategy
- Planning witness testimony
- Pre-trial evidence exchanges vs at trial evidence
- Getting your notices right
- Preparing opening submissions

Presented by **Jason Betts**, Partner, Global Co-Head of Class Actions, Herbert Smith Freehills; Market Leader Commercial Litigation & Dispute Resolution Lawyer and Leading Class Actions Lawyer, *Doyle's Guide 2023*

Professional Skills

Settlement Offers and Without Prejudice Communications: Getting the Best Deal for Your Client

- Rules relating to 'without prejudice' privilege and *Evidence Act* protections
- Admissibility issues
- Potential pitfalls: when 'without prejudice' privilege can be lost
- Calderbank offers and formal offers pursuant to the Rules
- Maximising your client's prospects of a meaningful costs order
- Latest judicial guidance

Presented by **Stacy Miller**, Partner, Cronin Miller; Recommended Commercial Litigation & Dispute Resolution Lawyers, *Doyle's Guide 2023*

Professional Skills

Alternative Dispute Resolution: Dealing with Mediators

- Providing the mediator with sufficient evidentiary material and court documents to be concisely appraised of the issues in dispute
- Remember that the function of the mediator is not to make decisions: the mediator needs to know the questions which will arise in reaching a resolution (not all the answers)
- Consider what, if any, material will be provided confidentially either in the written material or in private session
- Provide concise position papers spelling out a desired outcome and is not simply an attack on the other side
- Primary function of mediation: get a case resolved not the forum for running the trial

Presented by **Campbell Bridge SC**, 7 Wentworth Selborne

Professional Skills

Drafting Effective Settlement Agreements: Components and Structure

- The essential elements of a bulletproof settlement agreement
- Documenting with clarity & certainty: the agreement, the terms & parties' rights and obligations
- Timing issues and strategic considerations
- Form of agreement: Deed or covenant not to sue?
- Key clauses: the important considerations for each & drafting tips
- Enforcement: how to avoid an agreement being set aside

Presented by **Mark Martin KC**, Level 10 Inns of Court

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Professional Skills

ENFORCEMENT ACTIONS: CORPORATE AND PERSONAL INSOLVENCY



WEDNESDAY, 4 SEPTEMBER 2024
1.00PM TO 5.15PM AEST

\$505
WEB249Q04

Given the current financial climate, the rise in personal and corporate insolvencies is likely to continue. It's now time to master some key insolvency enforcement actions when pursuing judgements against individuals and companies. Would you know how to defend against a winding-up application or creditor's petition? Are you across the latest High Court decisions on unfair preferences and related defenses. Do know how to deal with voidable transactions and navigate dealings with debtors and creditors who are trustees of a trading trust. If you're uncertain about these questions, you might want to consider this program.

Chair: **Paul McQuade KC**, Level Twenty Seven Chambers; Preeminent Insolvency & Restructuring Senior Counsel, *Doyle's Guide 2023*

Defending & Responding to Winding Up Applications and Creditor's Petitions

- Establishing counter-claims, set-offs and cross-demands
- Relying on the 'for other sufficient cause' ground pursuant to the *Bankruptcy Act 1966*
- Applying for stays of winding up applications and creditor petitions
- Raising solvency as a defence
- Assessing the evidentiary burden on the applicants

Presented by **Stacy Miller**, Partner, Cronin Miller; Recommended Commercial Litigation & Dispute Resolution Lawyer, *Doyle's Guide 2023*

Unfair Preferences and Defences: Peak Indebtedness Rule

- What is an unfair preference claim?
- What are the defences to an unfair preference claim?
- The Peak Indebtedness Rule: a brief overview
- High Court Case analysis: *Bryant & Ors v Badenoch Logging Pty Ltd* [2023] HCA 2
- Implications for unfair preference claim:

Presented by **Daniel Johnston**, Legal Practitioner Director, JHK Legal

Recognising and Responding to Voidable Transactions in Respect of the Recipient, Director, and the Insolvent Practitioner/Creditor

- Identify the scope of voidable transactions pursuant to the *Corporations Act* and ss120, 121, 122 of the *Bankruptcy Act*
- Avoiding them and common pitfalls for individuals and companies
- Enforcing them and defending a voidable transaction claim

Presented by **Stipe Vuleta**, Managing Director, Chamberlains Law Firm

Clarifying Creditors Rights Against Trust Property Under Insolvency Law

- Issues with identification of debtors and creditors who are trustees of a trading trust
- Possible need to do PPSR search where ABN is for a trust
- Use of request procedure under the PPSR where a registration exists for creditor
- Requests for Trust documents to clarify ability to sue and why: need to check trust deed and any changes including any amendments whether that is for debtor or creditor
- Access to trading records for indebtedness and to enable full instructions

Presented by **Jim Johnson**, Barrister, Frederick Jordan Chambers



**ALL NEW ENFORCING DEBT
RECOVERY PROGRAM**

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

REGISTERED TRAINING ORGANISATIONS: LAW AND REGULATION



WEDNESDAY, 17 JULY 2024
9.00AM TO 1.15PM AEST

\$505
WEB247N08

Calling all RTO decision makers, compliance managers legal advisors! Deepen your understanding of what you need to know to remain compliant in 2024 and avoid the Tribunal. Learn about challenging decisions if you do end up before the AAT. Obtain up to the minute information and guidance on what you need to know about immigration law and employment law with an emphasis on recent developments.

Chair: **Alexis Watt**, Executive leader, Consultant and Advisor

How RTOs Can Take Advantage of Internal Reviews and Avoid the Tribunal: The Legal Perspective

- The legal status of notices by ASQA of either its Intention to Make a Decision or Notice of Decision: the available approaches to accepting an invitation from ASQA to respond to such notices, including the provision of evidence and submissions
- Understanding ASQA's primary focus and concerns arising from its Assessment Reports/Audit Reports and Statements of Reasons and preparing targeted responses to findings and legal submissions responding to its Reasons for Decision
- How to prepare responses to findings of noncompliance and correlating them to legal submissions opposing ASQA's intended decision or its decision
- Preserving the status of the RTO by delaying the implementation of any decision pending internal review and, in some circumstances, anticipating an application to the Tribunal for merits review and preparing evidence and submissions in connection with internal review to minimise the scope and timeframe of a substantive Tribunal hearing and to obtaining a stay order from the Tribunal

Presented by **Nick Galatas**, Partner, GPZ Legal

Challenging Decisions in the AAT and Federal Court: Important Information for RTO's

- Preparing to apply to challenge a decision
- The procedural and substantive differences between applying to challenge decisions in the Federal Court and in the AAT
- Picking which is the appropriate forum for challenging a decision
- Strategies for conducting proceedings in the Federal Court and AAT

Presented by **Angus O'Brien**, Barrister, Gerard Brennan Chambers

Employment Law for the RTO Sector

- Latest developments in employment law that you need to understand
 - Fixed term contracts
 - Casual employment
 - Sexual harassment
- Unfair Dismissal: the relevant considerations
- General protections and adverse action: the importance of the decision maker
- Bullying: protecting staff from abuse

Presented by **Michael Byrnes**, Partner, Swaab

PANEL DISCUSSION & Q & A

Key Immigration Issues for the RTO Sector

Take this opportunity to hear legal and subject matter experts cover the changes to the immigration policy changes made in December 2023 by the Commonwealth government which are having a significant impact on providers.

Panel includes:

Alexis Watt, General Manager, Adelaide Institute of Business & Technology (AIBT)

Lily Ong, Lily Ong Business Lawyers & Migration Consultants; Accredited Specialist Immigration Law; Leading Immigration Lawyers & Agents *Doyle's Guide 2023*

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

SCHOOL LAW: DRUGS, DATA BREACHES, MEDICAL CONDITIONS, HAZARDS & BOUNDARIES



WEDNESDAY, 24 JULY, WEDNESDAY, 7 & TUESDAY, 20 AUGUST,
WEDNESDAY, 4, 18 SEPTEMBER 2024 \$610
1.00PM TO 1.00PM AEST WEB247N05

DUTY OF CARE: MANAGING MEDICAL CONDITIONS IN YOUR SCHOOL

WEDNESDAY, 24 JULY 2024 \$160
1.00PM TO 2.00PM AEST WEB247N05A

Chair: **Henry Grosse**, Principal, Berwick Lodge Primary School

Duty of Care: Managing Medical Conditions in Your School

Presented by **Jessie Murphy-Allen**, Special Counsel and **Daniella Carling**, Senior Associate, Finlaysons Lawyers; Workplace and Litigation

NAVIGATING DATA RETENTION AND PRIVACY FOR SCHOOLS

WEDNESDAY, 7 AUGUST 2024 \$160
1.00PM TO 2.00PM AEST WEB248N05B

Chair: **Henry Grosse**, Principal, Berwick Lodge Primary School

Navigating Data Retention and Privacy for Schools

Presented by **Cecelia Irvine-So**, Practice Leader and Head of Education Team; Accredited Specialist in Commercial Law, Moores

GOVERNANCE CONSIDERATIONS FOR MAINTAINING SAFE, RESPECTFUL AND INCLUSIVE WORKPLACES AND LEARNING ENVIRONMENTS

TUESDAY, 20 AUGUST 2024 \$160
1.00PM TO 2.00PM AEST WEB248N05C

Chair: **Ann Rebgetz**, Principal, St James College

Governance Considerations for Maintaining Safe, Respectful and Inclusive Workplaces and Learning Environments

Presented by **Jennifer Bourke**, Senior Associate, MinterEllison; Employment Team

DRUGS, WEAPONS AND ILLEGAL ACTIVITY: RIGHTS, RESPONSIBILITIES AND REGULATIONS

WEDNESDAY, 4 SEPTEMBER 2024 \$160
1.00PM TO 2.00PM AEST WEB249N05D

Chair: **Henry Grosse**, Principal, Berwick Lodge Primary School

Drugs, Weapons and Illegal Activity: Rights, Responsibilities and Regulations

Presented by **Aleksandra Golat**, Senior Associate, HWL Ebsworth; Employment and Workplace Relations

DUTY OF CARE: MANAGING MEDICAL CONDITIONS IN YOUR SCHOOL

WEDNESDAY, 18 SEPTEMBER 2024 \$160
1.00PM TO 2.00PM AEST WEB249N05E

Navigating the Grey Area on Professional Boundaries

Chair: **Henry Grosse**, Principal, Berwick Lodge Primary School

Navigating the Grey Area on Professional Boundaries

Presented by **Stephen Hughes**, Special Counsel, Travis Schultz & Partners

Earn 1 Professional Development Hour (NSW,VIC) / CPD Point (QLD, WA, SA) for each individual session attended

ATTEND THE FULL SERIES AND EARN

5 CPD UNITS

5 CPD Points in Substantive Law

APPEARING BEFORE THE FAIR WORK COMMISSION



WEDNESDAY, 4 SEPTEMBER 2024 \$305
2.00PM TO 5.15PM AEST WEB249N03

Do you want to know how to prepare effectively for appearing before the Fair Work Commission? Are you looking for guidance on identifying the evidence needed for an unfair dismissal or general protection claim? Would you like to understand the best strategies for conciliation preparation? Are you interested in enhancing your advocacy skills used during conciliation? Do you want to master the art of negotiating a successful settlement? **If you answered YES to any or all the above, then this Workshop is for you.**

Join this workshop, lead by **John Farren**, to ensure you know how to effectively prepare your matters when appearing before the Fair Work Commission. So often it is the preparation that causes the matter to go off the rails. Make sure that is not your case. Gain guidance on the evidence needed, workshop the best strategies for conciliation, understand common traps and hear tips to ensure that your advocacy excels and your negotiating of the settlement is masterful.

You will work through the following issues with case studies and practical tips.

Professional Skills

Lead up to Conciliation: Key Evidence Considerations, Assessing Prospects and Some Common Traps

- Evidence: Is the evidence sufficient to support or respond to an unfair dismissal claim or General Protections Claims
- Recognising where there are gaps
- Assessing each side's prospects of success
- What are common traps

How to Prepare for a Successful Conciliation

- How to prepare for conciliation
- How to negotiate a successful settlement
- Effective advocacy during the Conciliation

Workshop facilitated by **John Farren**, Director, Farren McRae Workplace Lawyers and Consultants

About your Facilitator:

John has extensive experience in all aspects of workplace and employment law. Before co-founding Farren McRae Workplace Lawyers and Consultants, John practiced as a Barrister at the Queensland Private Bar for over six years. In 2024, John was included in the Doyles List in the Leading Employment Lawyers (Employer Representation). In addition to his legal experience, John has over 20 years' experience in undertaking complex workplace investigations relating to misconduct, corrupt conduct, bullying and workplace harassment, serious disciplinary matters (including Code of Conduct breaches), grievances, discrimination, and worker's compensation issues. John is an experienced workplace mediator.



ATTEND AND EARN

2 CPD UNITS

2 CPD units in Professional Skills

TERMINATING EMPLOYMENT: DEALING WITH THE LEGAL ISSUES



THURSDAY, 12 SEPTEMBER 2024
9.00AM TO 5.15PM AEST

\$795
249N19

With an increasing unemployment rate, a teetering economy and increased legislative requirements regarding terminating employment, now is the time to ensure that you have the best understanding of law, practice and procedure for your clients and your organisation. You must understand employee rights, employer obligations, and compliance requirements. Gain a deep understanding of termination during business sales & restructures, during prolonged absences, for poor performance & misconduct. Gain insights into legal requirements for terminating both casual & fixed-term employment. Plus, review critical post-termination issues including restraint of trade and deductions all while you stay updated with the latest case law.

Chair: **Meghann Noble**, Head of Legal, Garvan Institute

SESSION 1: TERMINATING EMPLOYMENT

TUESDAY, 23 JULY 2024 \$505
9.00AM TO 1.15PM AEST 249N19A

Mergers & Acquisitions and Corporate Restructures: An Employment Law Perspective

- Overview of various types of M&A transactions and associated employment law considerations
- The M&A process: due diligence, sale/purchase documentation and W&I insurance
- Corporate restructures and associated employment law considerations

Presented by **Chris Hill**, Principal (Australia), Onside Law

Managing Mental Health Issues in Termination Situations

- Dealing with prolonged absence from work and medical incapacity
- Duty of care

Presented by **Joe Murphy**, Director, Cowell Clarke Commercial Lawyers; Accredited Specialist in Employment Relations; *Best Lawyers 2025*, Labour, and Employment Law; Recommended Leading Employment Lawyer, *Doyle's Guide 2023*

Terminating for Poor Performance v Misconduct

- What is misconduct?
- What is serious misconduct?
- The difference between termination for capacity or conduct
- The difference between capacity and performance and the implications
- How to deal with misconduct found after dismissal
- What does the discount for misconduct mean?

Presented by **Ian Latham**, Barrister, Denman Chambers; Recommended Employment Law Junior Counsel, *Doyle's Guide 2024*

Terminating Casual and Fixed Term Employment

- Casual or fixed term in name only?
- Impacts on termination arising from Fair Work changes to fixed term employment
- Termination processes for casual and fixed term employees
- Disputes and legal claims

Presented by **Andrea Motbey**, Counsel – Employment, Ashurst

SESSION 2: CASE UPDATE AND POST TERMINATION ISSUES

TUESDAY, 23 JULY 2024 \$420
2.00PM TO 5.15PM AEST 249N19B

Chair: **Lisa Berton**, Partner, Henry William Lawyers

Restraints of Trade: Enforcement and Drafting

- Identifying the interests to be protected
- Drafting the right clause, with the right parties, at the right time
- Of stable doors and bolting employees: practical steps when employees leave
- Prospects for law reform: What happens if the US FTC ban on non-competes gets an Australian visa?

Presented by **Angus Macinnis**, Director of Dispute Resolution, StevensVuaran Lawyers

Deductions on Termination

- Notice periods not given or overpayments
- Study agreements
- Repayment plans if employers don't get their ROI

Presented by **Deirdre McEvoy**, Special Counsel, McArdle Legal; Accredited Specialist in Employment and Industrial Law

Recent Cases in Termination of Employment

- Recent cases in unfair dismissal and general protections
- Practical insights to be applied to termination of employment

Presented by **Michael Byrnes**, Partner, Swaab; Recommended Leading Employment Lawyer, *Doyle's Guide 2023*

ATTEND AND EARN

7 CPD UNITS

7 CPD Units in Substantive Law

MINING LAW: LITIGATION RISKS AND BEST PRACTICES



WEDNESDAY, 11 SEPTEMBER 2024
9.00AM TO 5.15PM AWST

\$795
249W02

Examine 7 of the most crucial areas of concern for inhouse counsel in the energy and resources sector in one day. More than ever the litigation risks and governance and policy issues are impacting the industry. Gain critical insights into the many litigation risks including a deep dive into topics climate litigation, the use of drones and AI, native title compensation quantum plus an update on the mining industry recent case law. Be guided with valuable perspectives and strategies to navigate the appearing at senate committees, M&A due diligence and critical Minerals Policy concerns. Don't miss this essential event.

SESSION 1: LITIGATION RISKS AND CASE LAW UPDATE FOR THE MINING AND RESOURCES INDUSTRY

WEDNESDAY, 6 NOVEMBER 2024
9.00AM TO 1.15PM AWST

\$505
249W02A

Chair: **Marshall McKenna**, Partner, Gilbert + Tobin

Drones, E-DNA, Artificial Intelligence and Asian Green Muscles: The Mining Law Risks You Must Guard Against in 2024 and Beyond

- High profile risks and how to mitigate them with cunning legal strategies
- Drones: how to ensure the benefits outweigh the risks
- E-DNA: what it is, and its relevance to mining lawyer
- AI: will it fundamentally change the landscape of mining law as we know it?
- Asian Green Muscles: delicious snack, or the Covid-19 of mining construction?

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

Climate Litigation and Greenwashing Risks in the Mining Sector

- Overview of emerging risks for mining companies arising from climate-related litigation and allegations of greenwashing
- Global trends in climate-related litigation
- Securities law issues related to corporate climate-related targets and disclosures
- Competition law risks from complaints that mining companies may be misleading the market in their sustainability or ESG reporting
- Mitigation strategies for mining companies

Presented by **Raelene Webb KC**, Murray Chambers

Assessing the Quantum of Native Title Compensation for Mining Projects After Northern Territory v Griffiths (2019) 269 CLR 1

- The statutory framework for assessing native title compensation: *Mining Act 1978 (WA)* and *Native Title Act 1993 (Cth)*
- The High Court's approach, in Northern *Territory v Griffiths*, to the quantum of native title compensation under the *Native Title Act*
- Examples of post-Griffiths settlement of mining compensation claims
- Future directions - is there a case for statutory benchmarks for native title compensation?

Presented by **Nunzio Lucarelli KC**, Barrister, Francis Burt Chambers

Mining Law Disputes and Case Update

In this session, you will examine recent Court of Appeal, Supreme Court and Wardens Court cases about the importance of security and certainty of title under the Mining Act, and the availability of declaratory relief for mining law disputes. You will focus on when a right to sue for a mere declaratory judgment arises and applicable limits on the court's power to grant declaratory relief for mining law disputes.

Presented by **Samantha Nadilo**, Barrister, Fourth Floor Chambers; Recommended leading commercial litigation & dispute resolution barristers – Western Australia, 2024

SESSION 2: BEST PRACTICE AN APPEARING AT SENATE COMMITTEE INQUIRIES, DUE DILIGENCE AND POLICY ISSUES

WEDNESDAY, 6 NOVEMBER 2024
2.00PM TO 5.15PM AWST

\$420
249W02B

Chair: **Katie Winterbourne**, Partner, Piper Alderman

Legal Due Diligence in the Mining Sector: The Current Merger and Acquisition Environment

- Why legal due diligence is more important than ever to protect investment and meet guidelines from ASIC, the ASX and industry regulators
- What are the key matters to investigate that may add value to the project, or possibly devalue the project. These matters will have significant commercial implications at both the negotiation and post-transaction stages
- Greenfields developments and the difficulties with red and green tape
- M&A's increasing prevalence in the mining sector backed by current market trends

Presented by **David Salim**, Group CEO, Principal Solicitor, Hetherington

Legal Guidance for Mining Clients Facing Senate Committee Inquiries

- Understand the legal framework for Parliamentary Committees in Western Australia and the Commonwealth as it pertains to mining
- Recent caselaw of relevance
- How parliamentary committee inquiries operate in practice
- The operating practices and procedures of parliamentary inquiries
- Rights and obligations of witnesses
- The interplay of confidentiality and privilege matters with parliamentary privilege
- Key questions arising from conflicting interests in mining-related parliamentary inquiries

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

Critical Minerals Policy

- Policy objectives
- Minerals processing and offtake
- FIRB regulation

Presented by **David Perks**, Partner, MinterEllison

INTERESTED IN A GROUP BOOKING?



Call Maria on 02 9387 8133
to discuss group discounts

ATTEND AND EARN

7 CPD UNITS

7 CPD units in Substantive Law

DRAFTING FAMILY LAW AFFIDAVITS AND ORDERS: A FOUR-STEP REVIEW

THURSDAY, 5 SEPTEMBER 2024
9.00AM TO 1.15PM AEST

\$505
249V01

A four-step look at drafting effective Affidavits and orders by considering:

- Do you often question the principles and structure of your Affidavits? Are you often unsure how to apply the Rules of Evidence?
- Are you familiar with the FCFCOA Rules on supporting Affidavits? Would you find it valuable to listen to a panel of experienced Counsel share their views on several example affidavits?
- Are you often concerned that the drafting of your orders is unclear and leads to undesired results? Are you interested in ensuring that your Orders achieve the desired outcome for your client?

If you answered yes to any of the above, this seminar is for you.

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

STEP 1: HOW TO APPLY DRAFTING PRINCIPLES, STRUCTURE AND RULES OF EVIDENCE TO YOUR AFFIDAVITS

- Principles of good drafting
- Structure and organisation
- Exhibits including electronic documents and recordings
- Applying the rules of evidence: relevance, hearsay, opinion, privilege
- Expert witness affidavits
- Tips and traps to avoid

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

STEP 2: HOW TO DRAFT AFFIDAVITS IN SUPPORT OF FOUR COMMON APPLICATIONS: WHAT DO I NEED TO INCLUDE?

- Interim property orders
- Interim spousal maintenance
- Final parenting: relocation
- Threshold issues: declaration re de facto relationship

Presented by **Anna Goldthorp**, Barrister and Accredited Mediator, Foley's List;

Practical Skills Workshop

STEP 3: LET'S APPLY WHAT WE HAVE LEARNT TO SOME AMPLIFIED AFFIDAVITS

Facilitator:

Justine Clark, Principal, Tisher Liner FC Law

Workshop Presenters

Bronia Tulloch, Barrister, Foley's List

Harriet Geddes, Barrister, Nationally Accredited Mediator, Foley's List;

Robyn Wheeler, Barrister, Foley's List

Laurence Fudim, Barrister, Nationally Accredited Mediator, Foley's List

STEP 4: HOW TO ENSURE THAT YOUR PROPERTY AND PARENTING ORDERS ARE CLEARLY DRAFTED, WELL STRUCTURED AND ACHIEVE THE DESIRED RESULT

- Essential matters
- Binding and enforceable
- Precedent parenting orders
- Impact of recent Family Law reforms on Parenting Orders
- Precedent property orders: interim and final

Presented by **Robyn Wheeler**, Barrister, Foley's List

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Professional Skills

FAMILY LAW TRIAL PREPARATION: AFTER THE COMPLIANCE & READINESS HEARING TO CONCLUSION

THURSDAY, 5 SEPTEMBER 2024
2.00PM TO 5.15PM AEST

\$420
249V02

Don't overlook this exceptional opportunity to join Judge Bender and a prominent panel of family law experts as you tackle trial preparation, post-compliance and readiness hearing. Avoid potentially costly mistakes in your preparation that could affect the success of your client's case with takeaway tips and insights.

"You can't go back and change the beginning, but you can start where you are and change the ending."
C S Lewis

Chair: **Olivia Grobtuch**, Partner, Kennedy Law

Professional Skills

Importance of the Case Outline Document: Why It's Crucial in Case Preparation

- Why it's crucial to identify a case outline at an early stage
- What should you consider in your case outline in financial property matters
 - What are the assets and liabilities?; What are the contributions?; What factors 75(2)
 - Justice and equity
 - What are the orders sought?
- What to consider in parenting matters post-reforms
 - What are the issues?
 - Parental responsibility
 - 'Best Interests' considerations
 - Other crucial factors
- Why is it vital to ongoingly review/analyze as your case
- How it can form the foundation for persuasive and successful submissions
- What are the key benefits to counsel

Presented by **Barry Berger**, Principal, Dignity EDR Dignity.Legal

Professional Skills

How to Trial Preparation: Clients, Witnesses and Documents

Receive a comprehensive, step-by-step guide to ensure your trial preparation is thorough, leaving no detail overlooked and setting you up for success.

- Managing client expectations
 - Estimating costs & explaining the trial process
 - Adjournments and impediments to proceeding
 - Communication and instructions & briefing and conferring with counsel
 - Offers and settlement negotiations
- Witnesses
 - Friends and family
 - Treating professionals, single experts & applications to evidence via video
- Documents and how to manage them
 - ebriefs; Court books; Tender bundles; Joint documents; Subpoenaed documents; Discovered documents
- FCFCOA Case Management Pathway and Practice Directions
- Protocols re communication with judges' chambers

Presented by **Kuppy Nambiar**, Director, Nambiar Hogg Family Lawyers

VIEW FROM THE BENCH

Professional Skills

Trial Preparation and Management: A Judicial Perspective

Presented by **Her Honour Judge Evelyn Bender**, Federal Circuit and Family Court of Australia

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Professional Skills



FAMILY LAW – FOUR CRITICAL CONCERNS IN WA

THURSDAY, 12 SEPTEMBER 2024
9.00AM TO 1.15PM AWST

\$505
249W05

We've identified four critical concerns for Family Lawyers and included them in for you in one jam packed morning. If you're eager to get answers to any or all these questions, then this seminar is for you:

- Want to understand how key family law reforms have been interpreted by the courts in the last four months?
- Keen to support clients experiencing family violence during family court proceedings?
- Do you want to know how to handle an undefended proceeding in Family Court?
- Need strategies to manage court delays in relation to settlement offers, and costs?

Don't be left wondering, this webinar promises to answer these questions and more.

Chair: **Trevor O'Sullivan**, Special Counsel, O'Sullivan Davies Family Lawyers

Four Months Down the Track: How the Reforms are Being Interpreted

- Gain valuable insights into how the Family Law Court has been interpreting the recent reforms to the *Family Law Act* over the past four months
- Examine recent decisions and take away key learnings that you can immediately apply to your practice

Presented by **Rachel Milton**, Barrister, John Toohey Chambers

Dealing with Domestic Violence in Family Court Proceedings

- Identify domestic violence in all its different forms
- Practical steps to take to assist your client
- Case studies and scenarios
- Tips and common traps

Presented by **Melissa Milne**, Principal – Family Law and Alison Brooks, Senior Associate, Cullen Macleod Lawyers

Proceeding Undefended in the Family Court

- When the court will order that a matter proceed undefended
- What right to be heard does a non-complying party have after the matter goes defended
- Setting aside an undefended order - before judgment
- Setting aside an undefended order after the hearing but before judgment is delivered
- Costs issues and undefended matters

Presented by **Marty Kavanagh**, Principal, Kavanagh Family Lawyers Perth

Dealing with Delays: Costs, Offers of Settlement, Orders and Affidavits

- Client Engagement Agreements: what are your obligations?
- Effect of costs orders with long delays
- Offers of Settlement: how are they treated when there are delays?
- Differing costs scales in Family Law matters: recognising which one applies

Presented by **Trevor O'Sullivan**, Special Counsel, O'Sullivan Davies Family Lawyers (confirmed) and Amy Pascoe, Legal Practitioner Director, Pascoe Legal



FAMILY LAW EVIDENCE: USE & ADMISSIBILITY OF SENSITIVE & ILLEGALLY OBTAINED MATERIAL

WEDNESDAY, 18 SEPTEMBER 2024
1.00PM TO 5.15PM AEST

\$505
WEB249N20

In today's digital world, business and personal information is readily available online. Recordings, past communications, and sensitive material can be accessed by either party. Do you know what to do if your client presents potentially illegal information for their case? This issue is common in family law. Learn how to recognise sensitive material, when to seek the court's discretion, and how to use it, especially in cases of family violence and domestic abuse. Understand your ethical obligations in managing such material. A must-attend program for family lawyers navigating changing times.

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

Admissibility of Sensitive Material

- What material is deemed sensitive?
- Admissibility of evidence deemed sensitive
- Discretion
- Discovery and Harman Obligations
- Amendments s121 *Family Law Act*
- Recent cases

Presented by **Adam Cooper**, Principal, Cooper Family Law; Author "Domestic Violence" chapter, Queensland Law Handbook

Recordings, S138 Evidence Act and Surveillance Laws

- S138 of the Evidence Act and discretion
- Applications to remove material
- Criminal, telecommunications, and surveillance offences: comparison of Commonwealth and State legislation

Presented by **Carolina Soto**, Barrister, Black Chambers

Evidence of Family Violence and Other Forms of Abuse: Admissibility and Reliability

- Recent cases
- Division 12A and admissibility vs reliability of evidence
- Challenging the expert's evidence
- Has the evidence been corrupted?
- How to challenge the report and the allegations made in the report

Presented by **Caroline Counsel**, Managing Partner, Caroline Counsel Family Lawyers; Accredited Family Law Specialist; Chair of the Accredited Specialist Board Law Institute of Victoria

Ethics & Professional Responsibility

Ethical Issues: Obtaining Documents in Family Law

- Legal Profession Uniform Law Australian Solicitors Conduct Rules
- Documents obtained 'innocently' by your client from the family home, including:
 - Privileged documents
 - Documents to which the other spouse has an obligation to disclose
 - Documents obtained from the other spouse's inbox and mobile phone

Presented by **Daniel Kaufman**, Barrister, Holmes List Barristers



ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

ATTEND AND EARN

4 CPD UNITS

3 units in Substantive Law

1 unit in Ethics & Professional Responsibility

LEGAL ISSUES FOR NDIS PROVIDERS: YOUR OBLIGATIONS & LIABILITIES



THURSDAY, 12 SEPTEMBER 2024
9.00AM TO 1.15PM AEST

\$505
WEB249N08

The NDIS Scheme continues to be plagued with problems and changes to the Scheme. What do the latest recommendations mean for your practice? What are some of the best contract structures between housing providers and support providers, and what are the risks? What are your obligations and liabilities for workplace violence? Delve into the latest guidance and receive effective strategies for managing challenges, maintaining standards, ensuring safety, and clarifying rights and responsibilities. Examine how to ensure you are compliant and avoid legal liabilities.

Chair: **Belinda Epstein**, Barrister, Maurice Byers Chambers

What NDIS Providers and Workers Should Know About the Recommendations of the Disability Royal Commission

- Enrolments
- Reasonable adjustments
- Understanding behaviours of concern
- How best to respond to complaints and manage reviews and appeals
- Governance and oversight
- How the proposed budget cuts and funding reductions affect your ability to deliver services to NDIS participants
- What legal obligations NDIS providers have in light of these changes, and how can they ensure compliance with any new regulations

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

Legal Obligations Regarding Psychological Risk Management: How to Protect Staff and Your Business from Aggressive and Violent Clients and Patients

- What is workplace violence? Threats and abuse at work, understanding how it affects our well-being
- Who's responsible legally? Legal duties under laws to manage risks from clients and patients
- Why compliance?
- How do we protect our staff? Strategies to safeguard against aggression, focusing on both physical and mental safety.

Presented by **Darien Nagle**, Barrister, H B Higgins Chambers

Navigating Disability and SDA Housing, and Associated Concerns

- Examine the recent changes in the SDA regulations
- Explore the best contract structures between housing providers and support providers, and what are the risks?
- What funding structures can be used to develop disability and SDA housing projects?
- What have we learnt from The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability?

Presented by **Tony Rutherford**, Partner, DLA Piper

What Else Is on the Reform Agenda for 2024? Recent Changes to Workplace Laws You Need to Know

- Understanding the current legal definition of independent contractor and employee
- Key features of each form of engagement
- Key scenarios in which contracts have "employment" like benefit
- Additional discrimination protections
- Criminalising wage theft
- Sexual harassment in the workplace
- New positive duty to eliminate sexual harassment and sex discrimination

Presented by **Erin McCarthy**, Partner, Piper Alderman; Recognised in *Best Lawyers in Australia*, *Doyle's Guide* as a leading Employment Lawyer

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

GENERATIVE AI AND EDISCOVERY WORKSHOP



TUESDAY, 24 SEPTEMBER 2024
9.00AM TO 12.15PM AEST

\$345
WEB249N24

Examine the future of legal practice with generative AI that change the way you practice. Join our panel of Generative AI and eDiscovery experts from both sides of the Tasman and the USA to gain a better understanding of how you can benefit from using Generative AI and eDiscovery and how it can accelerate the discovery process and investigations in general. Explore the issues of the importance of using Trustworthy AI and the ethical issues that surround current and future use of AI. You can't afford to miss this workshop.

Chair: **David Graham**, Vice President Asia Pacific and Japan, Reveal-Brainspace

The Impact of AI on Discovery and Investigations for Lawyers, Law Firms, Government, and Courts

Join an international panel and examine these essential issues for the future of law practices:

- Past and present observations and insights
- Predictions for where we are heading in the future with a focus on the evolution of AI and legal tech in various countries (NZ, AUS, USA)

Facilitator:

David Graham, Vice President Asia Pacific and Japan, Reveal-Brainspace
Andrew King, Founder & Strategic Advisor, E-Discovery Consulting (NZ)
George Socha, Senior Vice President of Brand Awareness, Reveal (USA)
Samantha Bowie, Founder and Managing Director, Siera Data (AUS)

Accelerating Discovery and Document Analysis with Generative AI

- Practical session with an overview of the development of the technology
- See how Generative AI accelerates, but does not replace, your document review and analysis processes
- Gain knowledge of the steps lawyers can take to use and benefit from this technology, today
- Discover and use

Presented by **Ben Kennedy**, Managing Director, Adio

Trustworthy AI

As organisations embark on AI journeys there are many aspects that need to be considered to do so safely and responsibly. Discover the principles behind ethical AI, as well as the socio-technical aspects of trust, including data privacy, security, transparency, accountability, and governance mechanisms.

- Examples of AI gone wrong
- Review of risk areas (i.e. privacy, IP/copyright, bias, hallucination etc)
- TrustworthyAI framework: areas to address risk
- Overview of steps towards Trustworthy AI
 - organisation level governance
 - model dev lifecycle
- High level thoughts on guiding principles and where to start

Presented by **Amy Dove**, Partner, Forensic, Deloitte

A Panel Discussion: Final Thoughts from the Panel and Q&A

Facilitator:

David Graham, Vice President Asia Pacific and Japan, Reveal-Brainspace
Andrew King, Founder & Director, E-Discovery Consulting
George Socha, Senior Vice President of Brand Awareness, Reveal
Samantha Bowie, Founder and Managing Director, Siera Data

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

IMMIGRATION LAW REFORM AND APPLICATION PRACTICAL STRATEGIES OVER LUNCH

TUESDAY, 3, 10, 17, 24 SEPTEMBER 2024
1.30PM TO 2.30PM AEST

\$505
WEB249N06

Major reforms of Immigration Law continue, new Laws, new policies and the new Tribunal. You will gain a practical understanding of the changes in the new Administrative Review Tribunal and the TSS, Student and Visitor Visa amendments. Ensure that you are able to navigate the amendments to temporary visa applications and Labour Agreements brought about in the 2024-25 Federal Budget. Obtain practical strategies to identify problems in Visa Applications. All in one hour bite sized sessions to fit into your busy practice.

SESSION 1: HOW TO IDENTIFY PIC 4020 AND S501 PROBLEMS BEFORE THE DEPARTMENT AND RESOLVE THEM

TUESDAY, 3 SEPTEMBER 2024 \$160
1.30PM TO 2.30PM AEST WEB249N06A

Chair: **Marial Lewis**, Principal Solicitor and Founder, Crossover Law Group; Accredited Specialist in Immigration Law, *Best Lawyers 2024*, *Australasian Lawyer 2023 Most Influential Lawyers 2023*, *Forbes 30 under 30*

How to Identify PIC 4020 and S501 Problems Before the Department and Resolve Them

- How to spot and fix PIC 4020 fraud and section 501 character issues before they derail your clients' visa applications
- What and what not to lodge, and when?
- How to conduct?

Presented by **Simon Jeans**, Principal, Jeans Lawyers; Accredited Specialist in Immigration Law; *Best Lawyers 2023*, Immigration Law

SESSION 3: LODGING A SUCCESSFUL TEMPORARY VISA APPLICATION CONSIDERING THE 2024-25 FEDERAL BUDGET AND NEW CHANGES: TSS, STUDENT AND VISITOR VISAS

TUESDAY, 17 SEPTEMBER 2024 \$160
1.30PM TO 2.30PM AEST WEB249N06C

Chair: **Marial Lewis**, Principal Solicitor and Founder, Crossover Law Group; Accredited Specialist in Immigration Law, *Best Lawyers 2024*, *Australasian Lawyer Most Influential Lawyers 2023*, *Forbes 30 under 30*

How to Lodge a Successful Temporary Visa Application Considering the 2024-25

- Summary of the 2024-2025 Federal Budget
- Tips for lodging successful temporary visa applications
 - Temporary Skill Shortage visa
 - Student visas and Genuine Student test
 - Visitor visas and genuine temporary entrant requirement
- New changes and what's to come

Presented by **Tanja Djokic**, Director/Principal Solicitor, TD Migration Consulting

SESSION 2: EFFECTIVELY NAVIGATING LABOUR AGREEMENTS CONSIDERING THE 2024-25 FEDERAL BUDGET AND NEW CHANGES

TUESDAY, 10 SEPTEMBER 2024 \$160
1.30PM TO 2.30PM AEST WEB249N06B

Chair: **Marial Lewis**, Principal Solicitor and Founder, Crossover Law Group; Accredited Specialist in Immigration Law, *Best Lawyers 2024*, *Australasian Lawyer 2023 Most Influential Lawyers 2023*, *Forbes 30 under 30*

Effectively Navigating Labour Agreements Considering the 2024-25 Federal Budget and New Changes

- What do the latest Federal Budget mean for your practice?
- Administrative basis: no visa pathway available
- Ministerial settings: departmental policy
- Decision process: methodology and operation
- Assessment: approval, refusal and re-submission
- Deed of variation: unintended consequences
- Complex issues: possible concessions
- Skills shortage vs labour shortage
- Retention strategies
- Regulations 2.72 and 2.79
- Regulation 2.76A (1) and section 140, subdivision GB of the Immigration Act
- Stakeholder consultation

Presented by **Alan L Chanesman**, Managing Partner, Chanesman Global

SESSION 4: EFFECTIVELY NAVIGATING CHANGES IN THE NEW ADMINISTRATIVE REVIEW TRIBUNAL

TUESDAY, 24 SEPTEMBER 2024 \$160
1.30PM TO 2.30PM AEST WEB249N06D

Chair: **Marial Lewis**, Principal Solicitor and Founder, Crossover Law Group; Accredited Specialist in Immigration Law, *Best Lawyers 2024* (Immigration Law), *Australasian Lawyer 2023 Most Influential Lawyers 2023*, *Forbes 30 under 30*

Professional Skills

How to Effectively Navigate Changes in the New Administrative Review Tribunal (ART)

- Overview of legislative changes
- Structure of the Tribunal, including appointment process
- Purpose and function
- Referral criteria
- First instance: significant administrative decision-making issues, justice interests (s. 40 ART Act)
- The Merits Review process explained
- Code of conduct and performance standards
- Member oversight
- General Appeals Panel – new feature for test cases
- Re-establishment of Administrative Review Council

Presented by **Dr. Mary Crock**, Professor of Public Law, Law School, The University of Sydney; Accredited Specialist in Immigration Law, *Best Lawyers 2024* in Immigration Law

MIGRATION AGENTS CAN EARN 2 CPD POINTS

MARA APPROVAL NUMBERS:
LIVE ONLINE - SM756 ON DEMAND - DN493

ATTEND AND EARN

4 CPD UNITS

1 unit in Professional Skills
3 units in Substantive Law



LEGAL ALERT: NEW COSTS REGIME IN VICTORIA

THURSDAY, 25 JULY 2024
12.30PM TO 2.00PM AEST

\$160
WEB247V01

Everything about costs is changing in 2025. Now is the time to get your head around the changes and understand what you need to do before the changes are here. Make sure that you and your practice can comply with the new costing regime. With significant changes to recovery of party/party costs and solicitor/client costs, this webinar will provide you with invaluable guidance on what to expect and how to plan for the changes.

Chair: **Lucy Dawson**, Barrister, Green's List

✔ Professional Skills or Practice Management and Business Skills

A New Era for Legal Costs Commencing 1 January 2025

- The new scale of costs for recovery of party/party costs
- What does this mean for solicitor/client costs?
- Improving your billing and description of work undertaken
- Improving your billing review process
- Ensuring flawless costs agreement and costs disclosure to maximise costs recovery
- Managing counsel's costs

👤 Presented by **Antonella Terranova**, Principal, Castra Legal Costing; President, Northern Suburbs Law Association Inc., Chair, Costs Law Executive Committee, Member, Advisory Service Panel (LIV)



ATTEND AND EARN

1.5 CPD UNITS

1.5 CPD units in Practice Management and Business Skills



4TH ANNUAL PERSONAL INJURIES: 3 STRATEGIES TO MAXIMISE DAMAGES

TUESDAY, 27 AUGUST 2024
2.00PM TO 5.15PM AEST

\$420
248N10

This is your go-to seminar on damages in personal injury claims. Offering 3 up to the minute presentations by industry experts who will dissect a key area related to maximising the outcome of a personal injury claim. Explore the assessment of damages where the claimant is a child and delve into the various aspects of quantifying economic loss of a self-employed plaintiff. Finally, join Rob Taylor who will take you through the legal implications of claiming damages under different regimes in the one claim.

Chair: **Michael McAuley**, Barrister, Second Floor Selborne Chambers

✔ Professional Skills

Children with Catastrophic Injury Claims: The Pivotal Role of the OT Report in Quantifying Damages

In cases where children have suffered a catastrophic injury, the OT report is central in the work of the lawyer building the claim for damages, in sourcing other opinions, costings from builders and other medical specialists. This presentation will cover;

- assessment, with costings of care over and above that of a typically developing child
- lifetime care
- equipment
- home modifications
- Impact on the family of supporting a child with catastrophic injuries

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

✔ Professional Skills

Assessing Economic Loss of Self-Employed Plaintiffs

- Loss of profits and/or replacement labour
- Impact of the sale of a business
- The premium for "entrepreneurship"
- Taxation issues

👤 Presented by **Mariano Rossetto**, Director, Forensic & Litigation, Vincents

A Different Drummer: Claiming Damages Under Different Regimes in the One Claim

- Work injury damages and the intersection of public liability and motor accident regimes
- Might a workers compensation insurer pay motor accident damages?
- The classic case: A worker run over by a forklift at work

👤 Presented by **Rob Taylor**, Barrister, Jack Shand Chambers

ATTEND AND EARN

3 CPD UNITS

1 unit in Substantive Law
2 units in Professional Skills



WORK INJURY CLAIMS: BACK TO BASICS

THURSDAY, 22 AUGUST 2024
9.00AM TO 12.15PM AEST

\$420
WEB248Q03

Embrace this opportunity to obtain guidance on some of the key legal and practice issues facing personal injury lawyers with a work injury claims practice. If you are looking to skill up or just want to refresh and update your knowledge base, then this is for you. You will delve into the legislation, current issues and then uncover the practical how to of running a common law work injury case from start to finish with plaintiff and defendant perspectives.

Workers Compensation Key Legislative Provisions Covering Pre-common Law Stages

- Injuries covered by *Workers' Compensation and Rehabilitation Act 2003* including:
 - Physical and psychiatric injuries at work
 - Distinct categories of claim, i.e fatal injuries and dependency, and hearing loss
- Exclusions including:
 - Reasonable management action in psychiatric injury claims
 - Serious and wilful misconduct
- Claiming weekly payments, out of pocket expenses, lump sum payment and getting injuries accepted and treatment funded
- Review of key case law
- Worked examples of commonly arising scenarios

Presented by **Helen Ashton**, Director East Coast Injury Lawyers; Accredited Specialist in Personal Injury Law and Charlotte Evans, Special Counsel, East Coast Injury Lawyers

Understanding the Concept of "in the Course of Employment"

- Exploring the meaning of "injury" and "event"
- Exploring the test, 'personal injury arising out of, or in the course of, employment'
- Period of time claims
- Journey claims
- Recess claims
- Can you claim for a pre-existing condition?
- Recent cases
- Contemporary challenges, including work from home

Presented by **Yvette McLaughlin**, Partner, Sparke Helmore Recommended Workers Compensation & WorkCover Lawyers (Defendant), *Doyles Guide*, 2023

Overview of Common Law Claims: Pre-court Process from Start to Finish

- Advising on the statutory lump sum
- Drafting the Notice of Claim
- Response to the Notice of Claim
- Investigating the Claim
- Disclosure
- IMEs
- Preparing for a compulsory conference
- Managing client expectations
- Managing employer expectations
- Conducting the compulsory conference

Presented by **Kate Avery**, Legal Practitioner Director, Kare Lawyers; Preeminent Work Injury Compensation Lawyers (Plaintiff), *Doyles Guide*, 2023 and **Jason Lewis**, Director, Hughes & Lewis; Recommended Workers Compensation & WorkCover Lawyers (Defendant), *Doyles Guide*, 2023

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law



INJURY COMPENSATION AND THE NDIS: TRAVERSING THE MINEFIELD FOR PERSONAL INJURY LAWYERS

TUESDAY, 24 SEPTEMBER 2024
1.00PM TO 2.00PM AEST

\$160
WEB249N09

Do you find liaising with the NDIS, lengthy, time consuming and frustrating? Then this quick program will clear the way forward. Examine the process regarding preliminary and final notices, the Compensation Reduction Amount as well gain guidance on the application of the special circumstances discretion.

Chair: **Lindsay Ash**, Senior Solicitor, Government Law, Civil Law Division, Legal Aid NSW

Professional Skills

NDIS Prepayments and Personal Injury Claims

- Repayments for past supports
- Preliminary and final notices and how to manage timing
- The Compensation Reduction Amount (CRA), including the calculation of life expectancy
- The 'special circumstances' discretion
- Disentangling multiple causes of disability

Presented by **Tom Ballantyne**, Partner, Maurice Blackburn; Accredited Specialist in Personal Injury Law, Preeminent Medical Negligence Compensation Lawyers (Plaintiff) *Doyles List*, 2023

Lindsay Ash

Tom Ballantyne

Tom Ballantyne is a Principal Lawyer and head of Maurice Blackburn's medical negligence department in Victoria. He is a Law Institute of Victoria Personal Injury Accredited Specialist and currently sits on the Specialist Accreditation committee. In addition to his medical negligence practice, he is also active in legal policy issues, particularly around the National Disability Insurance Scheme and My Health Record. He has presented on the NDIS to numerous legal, disability and community groups. He is listed in the prestigious *Doyles guide* and is currently serving as the Australian Lawyers Alliance Victorian President.

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Professional Skills

14TH ANNUAL DUST DISEASES CLAIMS SYMPOSIUM

WEDNESDAY, 18 SEPTEMBER 2024
9.00AM TO 4.15PM AEST

\$710
249N13

Dust disease claims practice is a constantly evolving area of personal injury law, join us in September for a consideration of the health risks of tunnelling work and the recent increase of claims that have occurred recently, keep up to date on recent decisions in Australia and overseas, then join us to explore the vexed question of capacity when the claimant is elderly and you have concerns about their capacity to provide instructions. How do you determine whether they have capacity and what steps can you take if they don't.

SESSION 1: DUST DISEASES CLAIMS UPDATE

9.00AM TO 1.15PM AEST \$505 249N13A

Chair: **Lian Chami**, Partner, Bartier Perry; Preeminent Dust Diseases Lawyers (Defendant) – New South Wales, *Doyles Guide 2023*

Judicial Decision Making in Dust Diseases Claims

Presented by **The Honourable Judge Wendy Strathdee**, Dust Diseases Tribunal NSW

Professional Skills

Beneath the Surface: The Health Risks of Tunnelling Work

- Overview of tunnel construction, common health hazards and work-related diseases in tunnel workers
- Various tunnelling methods and how these methods impact on workplace exposure
- Consideration of the workgroups most at risk
- Typical control measures put in place to protect worker health and the gaps that can exist

Presented by **Kate Cole OAM**, Certified Occupational Hygienist, Cole Health

Case Review and Updates on Liability and Assessment of Damages: Practical Guidance and Insights

- Liability decisions including recent decisions relating to health risks of tunnelling
- Cases on assessment of damages

Panel Includes:

Tanya Segelov, Director, Segelov Taylor Lawyers

Victoria Keays, Partner, Gordon Legal, Preeminent Asbestos & Dust Diseases Compensation Lawyers (Plaintiff) *Doyles Guide 2023*

Jonathan Walsh, Partner, Maurice Blackburn; Leading Asbestos & Dust Diseases Compensation Lawyers (Plaintiff) *Doyles Guide 2023*

Update on Asbestos and Silica Claims Overseas

- English decisions and US approach to foreseeable risk of harm
- Causation: are overseas courts looking at a minimum threshold dose in mesothelioma cases?
- Recent US toxic tort cases; herbicides, talc, PFAS
- Silica litigation outside Australia

Presented by **David Miller**, Partner, Colin Biggers & Paisley; Preeminent Dust Diseases Lawyers (Defendant) – New South Wales, *Doyles Guide 2023*

Future Developments in Dust Diseases: A Panel Discussion

Panel Includes:

Tanya Segelov, Director, Segelov Taylor Lawyers

Victoria Keays, Partner, Gordon Legal, Preeminent Asbestos & Dust Diseases Compensation Lawyers (Plaintiff) *Doyles Guide 2023*

Jonathan Walsh, Partner, Maurice Blackburn; Leading Asbestos & Dust Diseases Compensation Lawyers (Plaintiff) *Doyles Guide 2023*

**Australia's Premier
Dust Diseases Law Event**

SESSION 2: THE AGING CLAIMANT AND THE CLAIMANT WITH AN AUTO-IMMUNE DISEASE

2.15PM TO 4.15PM AEST \$305 249N13B

Chair: **David Andersen**, Partner, HWL Ebsworth; Recommended Dust Diseases Lawyers (Defendant) – New South Wales, *Doyles Guide 2023*

EXPLORING THE MEDICAL AND LEGAL ISSUES WHERE THE CLAIMANT IS DIAGNOSED WITH AN AUTO IMMUNE DISEASE

Professional Skills

Silica Related Auto-Immune Disease

- What is Autoimmune Disease and how is it diagnosed?
- The role of silica in the development of autoimmune disease and examination of the research
- Diagnosing disease; dealing with other contributing factors and causes
- Impact of symptoms on employability, physical and mental wellbeing

Presented by **Dr Hayley Barnes**, Respiratory Physician, Alfred Hospital

Commentary: Observations on Engaging and Collaborating with a Respiratory Medical Practitioner when the Claimant is Suffering from an Auto-Immune Disease

Presented by **David Andersen**, Partner, HWL Ebsworth, Recommended Dust Diseases Lawyers (Defendant) – New South Wales, *Doyles Guide 2023*

THE AGING CLIENT AND THE CAPACITY TO PROVIDE INSTRUCTIONS

Exploring Mental Capacity with Medical & Legal Insights Together with an Exploration of Options Open to the Lawyer Should the Claimant's Not Have Capacity to Provide Instructions

- Different roles: the Court, the medical practitioner and the solicitor in the assessment of capacity
- Legal and medical tests for the assessment of:
 - Capacity to engage in legal proceedings
 - Capacity to contract
 - Capacity to appoint enduring attorneys and enduring guardians
- Role of the solicitor: communication with the client and taking clear instructions
- Warning signs for solicitors: what to do and when to engage a medical practitioner
- Referrals and letters of instruction: How can solicitors best assist the medical practitioner and the Court
- Role of the medical specialist
- Disclosure of documents and consent: confidentiality issues
- What steps the lawyer can take if the client's capacity is compromised

Presented by **Dr Amanda White**, Clinical Neuropsychologist and Forensic Psychologist, Neuropsychological & Forensic Services
Katelin Whitley, Principal, Bestic Lawyers; Accredited Specialist in Wills & Estates Law; Recommended Wills, Estates & Succession Planning Lawyer & Estates Litigation Lawyer, *Doyle's Guide 2023*

ATTEND AND EARN

4 units in Substantive Law
2 units in Professional Skills

6 CPD UNITS

5TH ANNUAL TPD, INCOME PROTECTION, SUPERANNUATION AND LIFE INSURANCE LAW INTENSIVE



TUESDAY, 10 SEPTEMBER 2024
9.00AM TO 1.15PM AEST

\$505
249Q01

With a focus on both the law and the all-important practical aspects of making a TPD claim, explore the key issues with the assistance of case studies, case law and hypotheticals. Be updated on the ever-developing issues of non-disclosure and misrepresentation, Section 54 and superannuation, date of disablement issues as well as examine the facts and takeaways of AFCA decision over the past 12 months.

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

The Stinky Onion that is Non-disclosure and Misrepresentation

- Non-disclosure vs misrepresentation
- What if the *Insurance Contracts Act 1984 (Cth)* does not apply
- A hypothetical case study and discussion

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

Post Contractual Conduct: Can Section 54 of the Insurance Contracts Act Apply to Blanket Superannuation Policies?

- History of section 54 and prominent cases on that section
- Potential application of section 54 to blanket superannuation policies generally
- Summary of cases that have applied section 54 to group life insurance cases to date
- Common clauses in superannuation policies and the potential application of section 54 to them

Presented by **Philip Nolan**, Barrister, Darrow Chambers

AFCA Decisions in TPD, Income Protection, and Life Insurance Over the Last 12 Months

- A summary of all AFCA decisions in FYE 2024 relating to TPD, income protection, and life insurance
- Consideration of themes and issues in dispute
- Statistics on who AFCA is finding in favour of
- Tips and tricks which might assist your matters

Presented by **Nicholas Scott**, Senior Associate and State Litigation Leader and **Hayley Stokes**, Associate, Maurice Blackburn

Date of Disablement Issues: Tips and Tricks for Ensuring Your Client's Claim Does Not Fall Through the Cracks

- Common definitions in group policies
- How to understand what evidence you need
- Case Study: the QSuper experience – practical guidance and key takeaways

Presented by **Melissa O'Neill**, Special Counsel, Shine Lawyers

“Loved it - highly relevant and great real life examples”

ATTEND AND EARN

4 CPD UNITS

4 CPD Units in Substantive Law

CLAIMS UNDER THE NEW WORKERS COMPENSATION AND INJURY MANAGEMENT ACT



WEDNESDAY, 11 SEPTEMBER 2024
9.00AM TO 1.15PM AWST

\$505
249W01

The Workers Compensation and Injury Management Act 2023 which comes into effect on 1 July 2024 is a complete rewrite of the current Act to make it very clear who it applies to, when decisions will be made, what entitlements are available, and how and when claims will be closed - by recovery, return to work or settlement. By September, there should be some clarity on the way it operates as well as an awareness of teething problems. Take this opportunity to check in on what changes you need to make, and gain guidance on some of the key legal issues you will face with a work injury claims practice.

Chair: **Mary Browne**, Legal Practice Director, Special Counsel, Stephen Browne, Personal Injury Lawyers; Leading Work Injury Compensation Lawyers (Plaintiff), *Doyles Guide*, 2023

How Does the New Workers Compensation and Injury Management Act 2023 Work?

- Overview of the key provision of the *Workers Compensation and Injury Management Act 2024*
- New definitions of 'worker' and 'employer'
- Outlining the changes brought about by the new Act
- Discussion of
 - injuries now excluded by the legislation
 - return to work provisions
 - reducing or discontinuing payments
 - treatment choices

Presented by **Chris Rimmer**, Partner, Sparke Helmore

WorkCover Conciliation and Arbitration Proceedings: Disputes under the New Act

- The process of lodging an application after 1 July 2024 and the transitional provisions
- Legislative amendment and the impact on disputes before WorkCover
- Settlement of claims
- WorkCover Costs

Presented by **Adam Stewart**, Barrister, John Toohey Chambers

Overview of Common Law Claims: Pre-court Process from Start to Finish

- Advising on the statutory lump sum
- Drafting the Notice of Claim
- Response to the Notice of Claim
- Investigating the Claim
- Disclosure
- IMEs
- Managing client expectations
- Managing employer expectations

Presented by **Michelle Antunovich**, Lawyer/Director, Trewin Norman & Co, Leading Work Injury Compensation Lawyers (Plaintiff), *Doyles Guide* 2023

Professional Skills

The Vexed Question of Assessing Whole Person Impairment for Complex Regional Pain Syndrome (CRPS) and Other Nerve "Damage" Situations

- What is CRPS?
- When is CRPS rateable?
- When is CRPS not rateable?
- How is rateable CRPS assessed?
- How can non-rateable CRPS be assessed?

Presented by **Dr Neil Ozanne**, Consultant Occupational Physician, Assess Medical Group

“A really great, well-rounded series of presentations”

ATTEND AND EARN

4 CPD UNITS

3 units in Substantive Law
1 unit in Professional Skills

CYBER BREACH AND INSURANCE WORKSHOP: UNPACKING THE PROCESS



WEDNESDAY, 11 SEPTEMBER 2024
2.00PM TO 3.00PM AEST

\$160
WEB249N07

Recent data suggests that cyber crime is growing at an alarming rate and that the legal sector ranks among the top three most targeted industries. Whether you are an insurance lawyer or you need to understand cyber insurance claims for your firm, your organisation or your clients, join this workshop to discover what you need to know about cyber risks and unpack the process to follow when you have a data breach and your insurers are called in. An experienced panel provide insights from the broker, the insurer, the legal and the forensic perspectives on the risks, the process and tips for mitigating the risk. You can't afford to miss this workshop.

Chair: **Nicole Gabryk**, Partner, Wotton & Kearney

Together with a multi-disciplinary panel, you will build yourself an understanding of cyber risks, incident response, bringing a cyber insurance claim when the seemingly inevitable happens and examine insurance holder's obligations to ensure compliance with legislation and increased likelihood of claim success.

You will gain understanding of the following issues and concerns:

- Current threats and trends in the cyber landscape
- The incident response process: who is involved?
- Ensuring legal professional privilege for reports into a breach: what are the lessons to be learned from the Optus data breach decision?
- The scope of cover under a typical cyber insurance policy and typical exclusions
- The interaction between cyber insurance policies and other types of insurance policies
- Claims examples and data breach laws/obligations
- Risk mitigation: steps you can take

Your panel includes:

Nicole Gabryk, Partner, Wotton & Kearney (the lawyer perspective)
Nicole has significant experience in advising on all aspects of cyber insurance, ranging from responding to cyber breach incidents and implementing strategies to mitigate liability risks, through to defending complex litigation arising from data breaches.

Richard Grainger, Global DFIR Lead, Triskele Labs (the forensic expert perspective)
Richard has over ten years' experience in digital forensics and incident response and is part of the leadership team at Triskele Labs, amongst the most certified and most experienced advisory, offensive and defensive Cyber Security experts in the country.

Colin Pausey, Chief Operating Officer, Emergence Insurance Pty Ltd (the insurer perspective)
Colin has been involved in the insurance industry for over 40 years including with drafting and vetting a number of cyber policies. Emergence is an award-winning Australian cyber insurance agency.

Michael Parrant, Director & Cyber Insurance Practice Leader at Aon (the broker perspective)
Michael has spent the last 15+ years focusing on Technology Errors & Omissions and Cyber insurance placements from Australia and London.

SPORTS LAW: LIABILITIES AND OBLIGATIONS ON AND OFF THE FIELD



MONDAY, 16 SEPTEMBER 2024
1.00PM TO 5.15PM AEST

\$420
WEB249V07

The legal issues in sport are becoming more complex. Join an expert panel for truly expert guidance, including a former Olympian and AFL player, alongside leading barristers, and lawyers in sports law. Gain practical knowledge and insights into key legal issues like sex and gender in sport participation, safeguarding regimes, protection of reputation and defamation risks, advocacy in sports tribunals, and collective bargaining in sport.

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

Sex and Gender in Sport Participation

- Current state and federal sex discrimination and anti-discrimination legislation
- The "sport exemption" in the legislation
- Australian Sports Commission: strategies and resources
- Respect @ Work changes: positive duty
- Positions across various sports

Presented by **Juanita Maiden**, Senior Associate, Mullins Lawyers

Professional Skills

Advocacy in Sports Tribunals

- Practical tips and reflections on appearing before sports tribunals
- Dealing with questions from the Tribunal and strategies for handling tribunal inquiries effectively
- Key aspects of preparing for a sports tribunal, including evidence and legal arguments
- Cross examination best practices for questioning witnesses

Presented by **Adrian Anderson**, Barrister, Aickin Chambers

The Implementation of the New Safeguarding Regime: A Case Study Example

Gain an understanding of the implications of the Safeguarding in Sport Continuous Improvement Program using a case study of a recent case.

Presented by **Marianne Barker**, Barrister, Nationally Accredited Mediator, Owen Dixon Chambers West

Collective Bargaining in Sport

- The evolution of athlete representation
- Collective bargaining processes
- Recent case studies

Presented by **Ian Prendergast**, Executive Director, Sports Advisory Partners Australia, Former Carlton Football Club Player

Protection of Reputation: Defamation Risks Online and on the Field

- Protection of reputation in Australia
- Consideration of recent developments in defamation law including the serious harm threshold
- How to commence a defamation proceeding, including for defamatory posts online
- What to do if your client receives a concerns notice

Presented by **Maggie Kearney**, Barrister, Tenth Floor Chambers

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Practice Management & Business Skills

ATTEND AND EARN

4 CPD UNITS

3 points in Substantive Law
1 point in Professional Skills

MEDIA AND ENTERTAINMENT LAW CONFERENCE 2024: LEGISLATIVE REFORMS AND TECHNOLOGICAL BOUNDARIES

THURSDAY, 19 SEPTEMBER 2024
9.00AM TO 5.15PM AEST

\$795
249N14

Reform, proposed reform and additional urgent need of reform is swirling around conversation of regulation of the media and entertainment industries. Join us to tackle the latest challenges and opportunities in media and entertainment law. You will explore new regulatory measures, analyse significant case studies, and understand the evolving landscape of digital content and streaming services. Gain insights from leading experts on free speech, the implications of generative AI, and the latest trends in copyright law. Engage in discussions designed to help you navigate the complexities of today's media environment and stay current regarding emerging risks.

SESSION 1: NAVIGATING MEDIA & ENTERTAINMENT REFORMS: FAST CHANNELS, CONTENT & STREAMING, AND ICIP ISSUES

9.00AM TO 1.15PM AEST \$505 249N14A

Chair: **Kiah Officer**, Executive Counsel, Nine; Leading In-House Intellectual Property & TMT Lawyer – Australia, *Doyle's Guide 2023*

The Future is FAST

- What are FAST channels
- Who are the key players and what types of content is being created and licensed
- Legal considerations for FAST channels
- Rights considerations for FAST channels

Presented by **Lucinda Edwards**, Senior Legal Counsel and Chair of SBS Access, SBS Australia and **Rebecca Karalus**, Manager, Rights Management, SBS Australia

Regulation of Content and Streaming Services

- Breaking down the Communications Legislation Amendment (Prominence and Anti-siphoning) Bill 2023, focusing on the new legislated prominence framework
- The imposition of local content quotas on SVOD services, including a review of any new legislation proposed or passed at the time of the conference in September
- Recently passed Classification (Publications, Films and Computer Games) Amendment (Industry Self-classification and Other Measures) Act 2023, and changes to the classification process
- The impact of this legislation on streaming services and other key stakeholders, and a comparison with other international approaches

Presented by **Vincent Floro**, Senior Legal Counsel, Stan

Planning for New Privacy Laws: What the Changes Might Mean for the Media and Entertainment Industry

- Proposed tort liability
- Potential impact of changes to consent rules for entertainment
- Children
- Targeting
- Direct right of action
- Adtech

Presented by **Sophie Dawson**, Partner, Johnson Winter Slattery

Indigenous Cultural and Intellectual Property (ICIP) and the Media: Forthcoming Reform

- What does Indigenous Cultural and Intellectual Property encompass?
- ICIP vs IP and traditional copyright
- International developments and ICIP
- Forthcoming standalone ICIP legislation in Australia, and what this might mean for the media and entertainment industries
- Case study: the Australian Aboriginal Flag

Presented by **Chrystal Dare**, Partner, Johnson Winter Slattery; Leading Contentious Intellectual Property Lawyer – Victoria, *Doyle's Guide 2024*

SESSION 2: COMPETITION ISSUES, THE IMPACT OF AI ON MEDIA & ENTERTAINMENT, AND THE BOUNDARIES OF FREE SPEECH

2.00PM TO 5.15PM AEST \$420 249N14B

Chair: **Steven Rosser**, Principal, Steven Rosser Law

Competition Issues in Media & Entertainment in the 2020s

- News Media Bargaining Code
- Media cross-ownership restrictions
- Proposed regulation of the internet giants
- Exclusive content and anti-siphoning reforms

Presented by **Dr Martyn Taylor**, Partner, Norton Rose Fulbright; Band 2 TMT Telecommunications, Asia-Pacific Guide 2024, Chambers and Partners and **Andrew Pattinson**, Senior Associate, Norton Rose Fulbright

Generative AI: Impacts on Media and Entertainment Law

In this presentation, Dr. Hughes will delve into the rapidly evolving landscape of generative AI and its profound impact on media and entertainment law. Specifically tailored for Media and Entertainment Lawyers, this talk will address pressing issues such as ownership disputes surrounding AI-generated works, drawing parallels to recent strikes by organizations like the Screen Actors Guild and the Writers Guild. Dr. Hughes will provide an update on the ongoing litigation in the US and UK, offering insights into the latest developments and potential implications for legal practice in the media and entertainment industries. From copyright considerations to licensing agreements and the protection of creative works in the digital realm, attendees will gain valuable perspectives on navigating the complex intersection of generative AI and media law.

Presented by **Dr Anton Hughes**, Barrister, Maurice Byers Chambers

From Genesis to Revelations: "Free" Speech, the Bruce Lehrmann Scandal, and Legal Consequences of Biblical Proportions

- By reference to the saga involving Bruce Lehrmann as a case study, analyse of the ability to speak "freely" in Australia
- The intersection between contempt, defamation, statutory restrictions, and confidentiality when it comes to sharing views, opinions, criticism, and our own perceived 'facts'
- Consequences of sharing unfiltered thoughts publicly, such as via social media
- Consideration of whether there is an ability to communicate freely and privately despite the prospect of court proceedings, inquiries, and formal investigations
- The dichotomy of speech inside and outside the courtroom

Presented by **Grant McAvaney**, Head of Litigation, NewsCorp Australia



ATTEND AND EARN

7 CPD UNITS

7 CPD units in Substantive Law

10 POINTS IN ONE DAY IN CAIRNS: SUNNY SHORES AND FRESH UPDATES



FRIDAY, 6 SEPTEMBER 2024, SHANGRI-LA HOTEL, CAIRNS
7.30AM TO 6.30PM AEST

\$990
249NQ01

We've curated 10 hot topics you will want to be across. Expand your practical knowledge in AI effectively, fortify defences against cyber-attacks, and stay informed on the latest in commercial law, Conveyancing, PPSA, insolvency & debt recovery. Get insights from the Bench on what's new from the Family Court, delve into recent cases in Wills and Estates, and receive practical tips derived from these cases. Additionally, delivering your ethics core mandatory CPD point will be Dr. Ian Freckelton AO KC. Join for a day of learning, networking and enjoying 5* hospitality. Make it a day or a holiday.

SESSION 1: LATEST DEVELOPMENTS IN FAMILY LAW, ESTATES LAW AND CAPACITY

7.30AM TO 10.30AM AEST \$420 249NQ01A

Chair: **Amanda Millyard**, Director, Millyard Family Lawyers

What's New in Family Law: Latest and Greatest Case Summary

- Practical considerations for navigating recent amendments
- Understanding the PPP 500 List
- Contravention hearings

Presented by **Senior Judicial Registrar Corey Jenkins**, Federal Circuit and Family Court of Australia

Domestic and Family Violence Essentials: Representing Clients in Domestic Violence Cases

- Practical guidance for trauma-informed representation: adopting a client-centered approach and employing effective advocacy strategies
- Best practices for handling legal proceedings: navigating court processes, protection orders, and custody arrangements with expertise in domestic violence matters
- How to seek civil damages for domestic abuse

Presented by **Kay Feeney**, Director, Feeney Family Lawyers

Wills and Estates Law Cases: Year in Review

Join a very special session as Sally-Ann Hayward reviews key developments and significant cases, sharing knowledge that will set you up for the year ahead.

Suspicious circumstances and undue influence, Revocation of will by marriage, Construction of wills, Administration of estates, Disclaimer, Executors, Tax, Family provision claims, Superannuation binding death benefit nominations, Re Rentis Pty Ltd [2023] QSC 252 – BDBN completed by attorney

Presented by **Sally-Ann Hayward**, Principal, Cairns Mobile

Capacity: A Threshold Issue for Consideration Which Is Often Misunderstood

- Consider the following aspects of the question of a person's capacity as a threshold issue when taking instructions or acting for a person:
 - What is capacity in terms of an adult for whom you are asked to act or provide advice to?
 - When should a solicitor consider the question of a person's capacity?
 - What are the relevant tests to be applied?
 - Fundamental tips and traps for the unwary
- Review of the latest legal considerations and case precedents

Presented by **Christopher E. Taylor**, Barrister-at-Law, Trinity Chambers

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

10:45AM TO 1.45PM AEST \$420 249NQ01B

Chair: **Chris Ryall**, Barrister, Maritime Chambers

Practical Legal Ethics

Developments in Evidence and Emerging Ethical Issues

Presented by **Dr. Ian Freckelton AO KC**, Barrister, Professor of Law and Professorial Fellow in Psychiatry, University of Melbourne

Professional Skills

How to Effectively Implement Artificial Intelligence

- Examine risks and identify what AI tools are available and when they can assist a lawyer in their practice of law
- Research and the use of primary material
- Contract drafting AI tools and understanding their benefits
- Lawyers must not become sheep and simply follow the AI tool

Presented by **Dr. Adrian McCullagh**, Principal, ODMOB Lawyers

Practice Management and Business Skills

Protecting You & Your Organisation from Cyber Risks

- Cyber-attacks in 2024 & beyond: The latest trends
- Your obligations to the data you or your organisation hold
- Why law firms and organisations are targets and how they're targeted
- Preventing a cyber attack and what to do if your organisation is attacked
- Reducing mandatory data breach notifications and fines
- Your insurance options

Presented by **Dr. Graeme Edwards CFE**, Director, CYBER I Pty Ltd

SESSION 3: LATEST DEVELOPMENTS IN PROPERTY LAW, INSOLVENCY & DEBT RECOVERY AND IP

2.45PM TO 6.30PM AEST \$505 249NQ01C

Chair: **Joanne Parisi**, Principal, Parisi Foley Law

Latest Advancements in Conveyancing

- Common issues in conveyancing
- Drafting special conditions

Presented by **Roland Taylor**, Director, Statewide Conveyancing

Latest Developments in PPSA, Insolvency Engagements & Debt Recovery

Presented by **Alice Ruhe**, Managing Principal, SMB Advisory and **Matt Mullen**, Director, Grant Thornton

Body Corporate Law: 2024 Legislative Updates and Defamation

- Legislative updates
 - Learn about the recent amendments to the Body Corporate and Community Management Act 1997 (Qld) and associated Regulation Modules

Presented by **John Hayward**, Director, WGC Lawyers and **Rhiannon Saunders**, Director, WGC Lawyers

IP & Confidentiality Arrangements for Commercial Lawyers

IP Into the future, Where is IP law heading?, IP and AI, The Seven Sins: What not to do in practice, IP issues in the sale of a business, IP warranties: what to ask for / what to look for, Recent trademark and copyright developments that every lawyer know

Presented by **Professor John Swinson**, BA LLB LLM, The University of Queensland

ATTEND AND EARN

10 CPD UNITS

- 7 units in Substantive Law
- 1 unit in Ethics & Professional Responsibility
- 1 unit in Practice Management & Business Skills
- 1 unit in Professional Skills

NFP & CHARITIES: STRATEGIES FOR LEGAL, REGULATORY AND COMMERCIAL RISKS



TUESDAY, 17 SEPTEMBER 2024
9.00AM TO 5.15PM AEST

\$795
WEB249N11

Join this essential conference to examine governance and financial integrity in the not-for-profit sector. Learn from industry, legal and accounting experts and thought leaders about imperative strategies and best practices to manage conflicts of interest, diversify revenue streams, and navigate pathways to merger. Hear about all important steps to take with response planning, mitigation and incident detection of cyber breaches. Gain insights into tax compliance requirements, reporting, tax obligations, and the latest updates in employment taxes and GST. Don't miss this opportunity to strengthen and protect your organisation's foundation for success.

SESSION 1: REGULATORY COMPLIANCE, GOVERNANCE AND MERGERS FOR NFPs & CHARITIES

9.00AM TO 1.15PM AEST \$505 WEB249N11A

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

Balancing Compliance and Agility: A Challenge for NFPs

- The regulatory requirements of complying with the ACNC Governance Standards
- What the standards mean in practice for small to medium NFPs who aren't 'Corporatised'
- Maintaining the community ethos of your NFP while meeting your regulatory obligations

Presented by **Dr. Rateb Jneid**, Lawyer, DTS Legal

Navigating Conflicts of Interest and Related Party Transactions for Charities

- Overview of obligations imposed on registered charities
- ACNC Guidance on Conflicts of Interests and Related Party Transactions
- Recent regulatory response to non-compliance matters
- Practical tips for developing effective policies and procedures

Presented by **Richard Hundt**, Principal Lawyer, Hundt Law

Pathways to Merger for Not-for-Profits

- A guide for not-for-profit organisations considering merger or acquisition
- Common forms of merger and key considerations when analysing the options available
- Legal structure essentials and how this may dictate the forms of merger for your organisation
- Key stages in the merger process
- Essential elements of due diligence for not-for-profits

Presented by **Rebecca Lambert-Smith**, Practice Leader, Moores

Cyberwarfare Strategies for NFP's: Incident Response and Real-World Examples

- Threat actors: who, what and why
- A threat and landscape overview: capabilities, resources and tactical procedures
- Response planning, mitigations and incident detections

Presented by **Andrew Constantine**, Founder and Managing Director, CIO Cyber Security

“ Really enjoyed and benefited from the discussion ”

SESSION 2: TAX OBLIGATIONS AND COMMERCIAL STRATEGIES FOR NFPs & CHARITIES

2.00PM TO 5.15PM AEST \$450 WEB249N11B

Chair: **Vera Visevic**, Partner, Mills Oakley

Diversifying Revenue Streams: Navigating Commercial Activities for Charities

- Understand why charities are diversifying revenue streams, including growth, sustainability, and reducing dependency risks
- The increasing engagement of charities in commercial activities as a viable option
- Effective methods for framing revenue-raising activities
- Learn how to differentiate between purely commercial activities and those aligned with charitable purposes
- Understand the potential impact of engaging in commercial activities on charity registration and tax concessions

Presented by **Darren Fittler**, Partner, and Elizabeth Lathlean, Lawyer Gilbert + Tobin

Reporting and Tax Obligations for NFPs: Why it Matters?

- Overview of NFPs reporting obligations (to who, what for, and when?)
- Why does it matter? The importance of complying with reporting and tax obligations
- Recent changes to eligibility requirements for NFPs to self-assess as income tax exempt
- Incorporating reporting and tax considerations into your NFPs annual governance health check

Presented by **Catherine Nufer**, Special Counsel and Chartered Tax Adviser, Hamilton Locke

Employment Taxes Update for Not-for-Profits and Charities

Latest tax considerations, recent changes and emerging issues regarding areas such as:

- Salary packaging opportunities
- Electric vehicles and FBT exemption
- Common FBT traps
- Dealing with superannuation shortfalls
- Differences between employees, volunteers, and contractors
- Payroll tax exemptions for charities
- And more!

Presented by **Elizabeth Lucas**, Partner, Employment Solutions, Grant Thornton

GST, NFPs and Affordable/Social Housing

- GST for NFPs generally
- GST-free treatment for some accommodation:
 - 75% of market value (or cost): how to determine in practice
 - Government programs – complications to be managed
 - Private sector partnering structures
 - Build to Rent

Presented by **Rhys Penning**, Partner – Indirect Tax, GST, Grant Thornton

ATTEND AND EARN

7 CPD UNITS

7 CPD Units in Substantive Law

INNOVATION, NEW PRODUCT DEVELOPMENT AND CHANGE MANAGEMENT FOR LAWYERS

TUESDAY, 23, 30 JULY, TUESDAY, 6 & 13 AUGUST 2024
12.00 TO 1.15PM AEST

\$610
WEB247N19

Demonstrating your value as lawyers, not just in risk mitigation, but capturing opportunity and continuous improvement. Join a specialised skills program designed specifically for in-house counsel & legal advisors involved in guiding new product development, innovation, and change management. Engage with our expert industry speakers to enhance your understanding of project management and acquire insights into effectively managing the legal risks inherent in internal innovation processes. Develop skills in commercialising innovation & securing funding for these endeavours, while dealing with challenges & potential advantages.

Professional Skills

INNOVATION PROJECT MANAGEMENT GUIDE FOR LAWYERS

TUESDAY, 23 JULY 2024 \$160
12.00PM TO 1.15PM AEST WEB247N19A

Get essential insights for project success with a comprehensive guide to project management of new project development, innovation and change management.

Innovation Project Management Guide for Lawyers

- Demonstrating value as lawyers, not just risk mitigation, but capturing opportunity and continuous improvement
- Marshalling your project team and managing internal stakeholders
- When and how to best engage with external experts/suppliers/supports
- Procedural tips and strategy for managing budget and timing

Presented by **Amelia Edwards**, Chief Counsel, Universal Counsel

Attend and earn 1 CPD unit in Professional Skills

Professional Skills

LEGAL RISK MANAGEMENT OF INNOVATION AND CHANGE MANAGEMENT

TUESDAY, 30 JULY 2024 \$160
12.00PM TO 1.15PM AEST WEB247N19B

Discover effective strategies for managing risks in innovation, new project development, and change management. Gain invaluable practical tips and insights to navigate the potential pitfalls and risks in any new project.

Chair: **Amelia Edwards**, Chief Counsel, Universal Counsel

Legal Risk Management of Innovation and Change Management

- Understanding intersecting risk and compliance frameworks: competition & consumer law, negligence, contract, privacy, and industry-specific laws
- Key skills: tips and tricks for dealing with regulators, claims and investigations
- Internal risk-management procedure best practice: your crisis committee
- Required and recommended policies
- Key risks: third party suppliers, contract manufacturing/outsourcing
- Insurance key considerations

Presented by **Amelia Edwards**, Chief Counsel, Universal Counsel and **Cate Walsh**, Associate General Counsel, Mars Australia

Attend and earn 1 CPD unit in Professional Skills

INNOVATION: COMMERCIALISATION & ASSET PROTECTION

TUESDAY, 6 AUGUST 2024 \$160
12.00PM TO 1.15PM AEST WEB248N19C

Gain invaluable strategic and practical tips from industry leading experts in the essential innovation issues involved in the commercialising and safeguarding assets during the innovation project.

Chair: **Amelia Edwards**, Chief Counsel, Universal Counsel

Innovation: Commercialisation & Asset Protection

- Working effectively with creatives and commercial objectives
- Marketing/Sales: contracting and competition law considerations, strategy and negotiation key tips, managing expansion
- IP asset protection strategy: ownership, licensing models, dispute risk mitigation & enforcement
- Confidentiality, sensitive info, and trade secrets: practical protection tips

Presented by **Tara McCormack**, Senior Legal Counsel, Metricon Homes and **Amelia Edwards**, Chief Counsel, Universal Counsel

Attend and earn 1 CPD unit in Substantive Law

Professional Skills

INNOVATION FUNDING & FINANCE: ISSUES & OPPORTUNITIES

TUESDAY, 13 AUGUST 2024 \$160
12.00PM TO 1.15PM AEST WEB248N19D

Gain valuable insights on securing funding for innovation projects from our expert panel.

Chair: **Amelia Edwards**, Chief Counsel, Universal Counsel

Innovation funding & Finance: Issues and Opportunities

- R&D incentives: what are they, what do you need to do to ensure eligibility and maximum returns
- Corporate structuring basics for tax, funding, and investment
- Grants: navigating the framework, key updates, and practical tips
- Business and asset valuations: the whys, whens, and how-tos

Presented by **Damien Burke**, Executive Director, Koustas + Co and **Susan Elson**, R&D Tax Incentive, RADBE and **Amelia Edwards**, Chief Counsel, Universal Counsel

Attend and earn 1 CPD unit in Professional Skills

ATTEND AND EARN

4 CPD UNITS

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

RUNNING YOUR OWN LEGAL PRACTICE: PRACTICE MANAGEMENT SKILLS FOR SUCCESS



THURSDAY, 8 AUGUST 2024
2.00PM TO 5.15PM AEST

\$420
WEB248N07

Are you running your own law firm or considering taking the big step in the future? If the answer is yes, you can't afford to miss this workshop. Learn from the experience and expertise of others.

- Understand how the framework for real success in your law firm is minimising stress and ensuring practice financial health via sound budgeting, genuine profitability, serious credit control, optimised cash flow and ongoing business liquidity
- Delve into the essence of personal branding, emphasizing its critical role in not just opening doors to new opportunities for you and your firm but in creating them
- Ensure that you are across all of the most recent changes to employment law that can impact the running of your firm

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

✔ Practice Management and Business Skills

Critical Effective Business Development and Sensible Pricing

Learn about the two vital pillars supporting excellent management of the small law firm that have an inseparable inter-relationship.

Constructing the framework relies on the two pillars:

- Effective business development and choosing resulting potential clients well
- Sensible pricing that relies on a combination of knowledge of key pricing fundamentals, professional confidence and high-quality communication

Learn how your business can thrive on great service for good clients who pay, in full and on time, legal fees that are fair and reasonable and represent good value, allowing the well-run and structured practice to create proper profit margins reflecting the level of excellence provided. a professional business that is both less stressful and ultimately worth a lot for one or more other practitioners to purchase, because it is run excellently, with good profitability and continuing financial health.

👤 Presented by **Rob Knowsley**, Legal Practice Improvement Advisor, Lawyers' Mentor, Managing Partner at Knowsley Management Services

✔ Practice Management and Business Skills

Establishing Strong Personal Branding to Raise Awareness of You and Your Business

- Identifying your unique value proposition (UVP)
- Consistency across all platforms
- Engaging with your audience
- Continuous learning and development
- Authenticity and transparency
- Strategic networking
- Story-telling and case scenarios

👤 Presented by **Trisha Chapman**, Managing Partner, impressiveCV

✔ Practice Management and Business Skills

Navigating Employment Law in 2024: Essential Updates for Running Your Own Firm

- The new right to disconnect
- Changes to casual employment and casual conversion
- Changes to independent contractors (consultants)
- Recent cases that may impact your law firm
- Potential reforms limiting post-employment restraints

👤 Presented by **Rohan Burn**, Managing Principal, Burn Legal Australia Pty Limited

“ Rob was very engaging and clearly very knowledgeable about a subject which we all as lawyers should be focusing on, that being lawyers being better marketers and business people. ”

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Practice Management & Business Skills

LEGAL ALERT: NEW COMMERCIAL AND INDUSTRIAL PROPERTY TAX REGIME



MONDAY, 01 JULY 2024
1.00PM TO 2.00PM AEST

\$160
WEB247V02

Are you ready to navigate the biggest changes to Property tax in Victoria from 1 July 2024? If you or your clients are looking to acquire commercial or industrial properties or are planning restructures within existing corporate or family groups, you must consider the interaction of the new regime with existing taxes. Don't run the risk of being caught out! This is your one stop shop to gain clarity, have your burning questions answered and get compliant.

New Commercial and Industry Property Tax Regime

From 1 July 2024, the New Commercial and Industry Property Tax Regime will progressively abolish land transfer duty (i.e. stamp duty) on commercial and industrial property. Ensure compliance and unlock property potential as you benefit from a detailed discussion considering:

- How will the new commercial and industrial property tax regime work?
- What types of transactions trigger the transition to the regime?
- What types of properties are affected?
- What are the differences between the previous announcement and the bill?
- When is the commercial and industrial property tax payable?
- What action is required?

👤 Presented by **Nicholas Clifton**, Principal Lawyer, Sladen Legal

About the Presenter:

Nicholas Clifton

Nicholas Clifton is a Principal Lawyer in the State Taxes Team at Sladen Legal. He has 24 years of experience across all Australian jurisdictions working for top-tier law and accounting firms. Nicholas provides commercial, client focused advice on all State Tax including advising ASX-listed firms, multi-nationals, private equity, property developers and high net worth family offices. Nicholas helps clients with their stamp duty, land tax, windfall gains tax, payroll tax and other State tax issues.



ATTEND AND EARN

1 CPD UNITS

1 CPD unit in Substantive Law

EASEMENT ESSENTIALS

TUESDAY, 23, 30 JULY, TUESDAY, 6 AUGUST 2024
1.00PM TO 2.00PM AEST

\$420
WEB247N14

Without a solid grasp of easement fundamentals, you're bound to encounter legal roadblocks. Don't risk violating property rights or leaving clients vulnerable. Join us to decipher the nuances of easements, from identifying types to understanding court discretion. Don't overlook crucial avenues or tactics which could lead to delays and disruption or let land law complexities derail your case. Get ready to navigate land law's labyrinth and ensure legal success with this 3-part, 101 guide to easements.

EASEMENT FUNDAMENTALS: STRATEGIES AND TACTICS

TUESDAY, 23 JULY 2024
1.00PM TO 2.00PM AEST

\$160
WEB247N14A

Without understanding the fundamentals of easements, you'll encounter legal hurdles at every turn. Don't run the risk of inadvertently violating someone else's property rights or being unable to protect your clients'. Attend and ensure you're able to identify the various different types of easements, the inquiries needed, their implications and understand the courts discretion in granting or denying one to strengthen your application.

Easement Fundamentals: Strategies and Tactics

- Overview
 - Consideration of the common and not so common varieties of easements
 - The key takeaways you need to know for each
- How does the court exercise its discretion when considering whether to grant a statutory easement?
 - What are the various considerations the court will weigh, e.g. what is 'reasonably necessary for the effective use or development of land'?
 - Tips for getting the court to see it your way
- What inquiries should you make prior to requesting an easement?
 - What letter do you need to write?
 - What evidence do you need to adduce?
- Opposing an easement application
 - On what grounds can you oppose an application for a statutory easement and can you hold your neighbour to ransom?
- Mediation
 - How can you best lay the foundation for and conduct an easement mediation?

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

Attend and earn 1 CPD unit in Substantive Law

STEP BY STEP GUIDE TO OBTAINING AN EASEMENT: EXPLORING ALL ALTERNATIVES

TUESDAY, 30 JULY 2024
1.00PM TO 2.00PM AEST

\$160
WEB247N14B

Don't overlook crucial avenues for obtaining or opposing easements, leading to unnecessary delays and legal disruption. Neglecting alternatives and tactical considerations will see you facing higher costs, lower compensation, and unsuccessful attempts at securing your desired easement. Discover the best strategies for achieving easements tailored to specific needs, whether for crane swing, rock anchors, scaffold & more in this step-by-step guide.

Step by Step Guide to Obtaining an Easement: Exploring all Alternatives

- Understanding the relevant legislation
 - Identifying all legislative avenues and alternatives to obtaining (or opposing) an easement
- Comparing and contrasting alternatives to obtaining orders of the court for the imposition of a temporary statutory easements such as easements for access/scaffold/ crane swing/ rock anchors, viz applications under the Access to *Neighbouring Land* legislation

- Is there legislation dealing specifically with encroachments?
- Comparing and contrasting tactical considerations such as:
 - Legal costs
 - Level of compensation payable
 - General procedural aspects of each legislative alternative / 'gateway'
- What is the best way to achieve a temporary easement eg for crane swing, rock anchors or scaffold?

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

Attend and earn 1 CPD unit in Substantive Law

SPECIAL CONSIDERATIONS IN EASEMENTS: LAND LAW, CHOOSING THE CORRECT FORUM AND JURISDICTIONAL ISSUES

TUESDAY, 6 AUGUST 2024
1.00PM TO 2.00PM AEST

\$160
WEB248N14C

Neglecting the intricacies of land law, forum selection, and jurisdictional issues can lead to legal dilemmas and missed opportunities. Without a clear grasp of title relevance to easement applications and court jurisdiction, your case could face unnecessary delays or even dismissal. Don't limit your ability to obtain a favourable outcome for your client, instead, attend and navigate these complexities with confidence and clarity.

Special Considerations in Easements: Land Law, Choosing the Correct Forum and Jurisdictional Issues

Take a deep dive into both land law and jurisdictional issues pertaining to easements, trespass and nuisance.

- Considering relevance of the form of title to easement applications, i.e. whether Common Law or Torrens
- What is the appropriate court to approach and why?
- What jurisdiction does each of these courts relevantly have in easement, trespass and nuisance matters?
- A closer look at the jurisdiction of the District Court to grant injunctions against trespass and nuisance
 - The intersection of cases relating to planes, cranes and a cavoodle called Oscar
 - Analyse the tactical considerations in each forum choice, e.g. compensation & damages, whether expedition can be sought, and if so, how

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

Attend and earn 1 CPD unit in Substantive Law

REGISTER FOR JUST THE 1-HOUR LUNCH TIME SESSION THAT MATCH YOUR INTERESTS OR BOOK ALL 3 AND SAVE!

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

LEASES IN FOCUS: RENEWABLE ENERGY, TELCO TOWERS & INDUSTRIAL

FRIDAY, 30 AUGUST, 6 SEPTEMBER, 13 SEPTEMBER 2024
1.00PM TO 2.00PM AEST

\$420
WEB248N17

Expand your professional toolbox by taking a closer look at some of the more specialised areas of leasing: renewable energy leases, industrial leases and telecommunication tower leases. Often spanning decades, they require meticulous attention to ensure favourable positions for your clients. In this 3-part series, equip yourself with essential skills needed to effectively structure these transactions, master the nuances of their term sheets, and safeguard your clients' interests.

RENEWABLE ENERGY LEASES

FRIDAY, 30 AUGUST 2024 \$160
1.00PM TO 2.00PM AEST WEB248N17A

With wind, solar, and other energy projects on the rise, so too are the accompanying lease agreements. With lease terms that could span for decades, ensure you've covered all bases to ensure your client gets a good deal. Gain invaluable skills on how to structure these lease transactions effectively as you decipher term sheets, options and project leases. Plus, walk away with practical tips to safeguard landowners' interests.

Chair: **Richard Brooks**, Consultant, Ashurst; Recommended Leasing Lawyer, *Doyle's Guide 2024*; *Best Lawyers 2025*, Government Practice, Leasing Law and Real Property Law

Renewable Energy Leases

- Understanding renewable energy leases: wind, solar and other energy projects
- Structuring the lease transaction:
 - Term sheet
 - Option to lease
 - Project lease
- Practical tips and considerations for landowners

Presented by **Michael Stannard**, Partner, Mellor Olsson Lawyers; Corporate & Commercial Law Rising Star, *Doyle's Guide 2023*; Rising Star, *Australasian Lawyer 2024*

Attend and earn 1 CPD unit in Substantive Law

INDUSTRIAL LEASES: KEY CONSIDERATIONS

FRIDAY, 6 SEPTEMBER 2024 \$160
1.00PM TO 2.00PM AEST WEB249N17B

With industrial leases tending to span over many years, it's more important than ever to get the details correct to ensure the best outcome for your clients'. Gain critical insights into the essential aspects of industrial leases in this focused session and ensure a smooth, compliant leasing arrangement that benefits your client at every step.

Chair: **Jack Cyngler**, Principal, CKL Lawyers; Accredited Specialist in Commercial Tenancy Law

Industrial Leases: Key Considerations

Benefit from a detailed look at Industrial Lease arrangements as you consider:

- Terms
- Environmental Issues
- Maintenance and replacement of operational equipment
- Site identification and supplier agreements
- Assignment
- Termination

Presented by **Joseph Grassi**, Solicitor Director, Joseph Grassi + Associates; Accredited Specialist in Property Law

Attend and earn 1 CPD unit in Substantive Law

TELECOMMUNICATIONS TOWER LEASES

FRIDAY, 13 SEPTEMBER 2024 \$160
1.00PM TO 2.00PM AEST WEB249N17C

When telecommunications carriers come knocking with the goal of improving the coverage of their networks, are you equipped with the knowledge to ensure your client gets a fair deal? Arm yourself with the information needed to best deal with Owners Corp or Strata requirements and to get the lease approved with your clients' interests in mind.

Chair: **Jennifer Andrews**, Partner, Dentons; Recommended Leasing Lawyer, *Doyle's Guide 2023*

Telecommunications Tower Leases

Join for a focused look at the leasing arrangements with telecommunication providers and receive guidance as to what the proposed landlord should consider in the lease.

- Consider how best to deal with Owners Corporations/Strata and the requirements they have in order to approve a lease
- Discuss the importance of the area being leased to be identified
- Work through what happens when other Telco's want a piece of the real estate

Presented by **Phillip Leaman**, Principal, Fisher Liner FC Law; Accredited Specialist in Commercial Law; *Best Lawyers 2020-2024*, Real Property Law

Attend and earn 1 CPD unit in Substantive Law

ATTEND THE FULL SERIES AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

CONVEYANCING SUMMIT: EVOLVING STRATA, LAND USE, FIRB & CONTRACTUAL CHALLENGES

THURSDAY, 19 SEPTEMBER 2024
9.00AM TO 5.15PM AEST

\$795
249N15

Don't let yourself or your client be exposed! Stay vigilant and informed across recent amendments to strata legislation, the Home Building Act, FIRB, and the government's recent steps to adjust land use planning policies. Get proactive and avoid costly errors by unpacking purchaser rights, vendor liability, and contract claims intricacies. From breaches in regulations to missed opportunities and disputes, neglecting these crucial aspects can jeopardise any conveyancing transaction.

SESSION 1: NEW LEGISLATIVE UPDATES IN CONVEYANCING: FIRB, STRATA, LAND USE & CERTIFICATES

9.00AM TO 1.15PM AEST \$505 249N15A

Chair: **Harry Woods**, Barrister, Tenth Floor Chambers

An Update on the Latest Strata Legislation Impacting Conveyancing Transactions

- A wealth of changes have been made to the Strata and Community Title legislation that will affect property transactions including:
 - New recording keeping requirements including electronic record keeping (and tips on carrying out a strata search, requirements to provide notice of tenants & changes on how notices are to be served)
 - New provisions enabling emergency levies to be raised and restrictions on insuring expenses
 - Changes on the keeping of animals in schemes
 - Changes to meeting voting rights, meeting notice time frames and timeframe for the developer to provide information for new schemes
- Tips and traps on Strata Hub and its use during a conveyance

Presented by **Allison Benson**, Principal, Kerin Benson Lawyers

Land Use Planning Policy Update

Very significant steps have been taken by the NSW State Government in the last 6 months to facilitate the development of affordable and mid to high rise density developments near transport hubs. Receive a detailed breakdown of key areas to watch and consider what this means for your conveyancing practice:

- The 'Transport Orientated Development Program'
- Affordable Housing
- Dual occupancy development

Presented by **Aaron Gadiel**, Partner, Mills Oakley; Recommended Town Planning & Development Lawyer, *Doyle's Guide 2023*

Home Building Act Amendments: The Latest on Certificates & the Impact on Contract for Sale of Land

- Recent amendments to the *Home Building Act*, focusing on the
 - Critical updates surrounding certificates
 - Their profound implications on the Contract for Sale of Land
- Gain clarity on compliance requirements
- Understand how these changes reshape the landscape for Conveyancers

Presented by **Ian McKnight**, Consultant, Sarvaas Ciappara Lawyers

Foreign Investment Review Board (FIRB) and Foreign Surcharges: Practical Issues for Property Practitioners

- Identify the residency status of your "foreign" client: individual, company or trust?
- When do you need a FIRB approval with the ATO and what conditions apply?
- Latest updates on foreign surcharges for duty and land taxes including exclusions?
- A practical case study highlighting tips and traps

Presented by **Lisa To**, Partner, Bartier Perry; Recommended Tax Lawyer, *Doyle's Guide 2023*

SESSION 2: MASTERING CONTRACTUAL COMPLEXITY: VENDOR AND PURCHASER CLAIMS

2.00PM TO 5.15PM AEST \$420 249N15B

Chair: **Anthony Lo Surdo** SC, Eight Wentworth Chambers

Making and Dealing with a Claim Under Clause 7.1.1 of the Contract

- What does clause 7.1.1 say?
- What is the purpose of clause 7.1.1?
- In what scenarios can a purchaser make a claim under clause 7.1.1?
- What constitutes and does not constitute a claim under clause 7.1.1? Consider case examples and what the threshold is in case law rulings as well as what requirements will need to be satisfied in order to make a claim?
- How can a purchaser make a claim under clause 7.1.1?
- How can the vendor's solicitor deal with a claim made under clause 7.1.1 by a purchaser?
- How can the purchaser's solicitor deal with a claim that the purchaser is intending to make under clause 7.1.1?
- Consider cases and examples where purchasers have made a claim for more than 5%?

Presented by **Jennifer McCosker**, Partner, K&L Gates and **Christina Tohme**, Lawyer, K&L Gates

Contract Rescission: Unpacking the Rights of the Purchaser

Benefit from a detailed session and learn to navigate potential rescission scenarios with confidence as you unpack:

- Power to rescind Contracts for Sale
- Off the Plan Contracts under the *Conveyancing Act 1919*
- Rescission vs repudiation
- Common circumstances for rescission
- Review key cases

Presented by **Lee-Ann Walsh**, Barrister, Chalfont Chambers

Vendor's Liability in Respect of Defects in Quality Under the Tort of Deceit

A vendor of real property is usually not liable to a purchaser for defects in quality and those defects are treated as caveat emptor (buyer beware). Examine:

- How a vendor can be liable to pay damages to a purchaser under the tort of deceit in respect of defects in quality
- Representations or conduct that deceive a purchaser as to defects in quality or preclude the purchaser from being able to observe defects which would have otherwise been apparent on an ordinary inspection
- How loss and damage is quantified in such actions
- Cases will be canvassed to give examples of how this liability on vendors can arise

Presented by **Tony Di Francesco**, Barrister, Frederick Jordan Chambers

**\$ REGISTER BY
2 AUGUST 2024
TO SAVE 30%!**

ATTEND AND EARN

7 CPD UNITS

7 CPD units in Substantive Law



UPCOMING CHANGES UNDER THE PROPERTY LAW BILL 2023

TUESDAY, 6 AUGUST 2024
1.00PM TO 2.00PM AEST

\$160
WEB248Q01

Big changes are coming under The Property Law Bill 2023! And with big changes come significant challenges and opportunities for you to navigate in the property space. Get across the latest seller disclosure scheme, additional protections to current and former leases, limitation period reductions for deeds and much more. With its contents considered to give way to some of the biggest changes in the Queensland property industry in almost 50 years, you can't afford to be ill prepared.

Chair: **Clinton Mohr**, Principal, Clinton Mohr Lawyers; Accredited Specialist in Property Law

Upcoming Changes Under the Property Law Bill 2023

- Benefit from an introduction to the major changes to property law in Queensland arising from the Property Law Bill 2023
- Consider the impact of the proposed changes and what they mean for you and your practice across:
 - Changes to seller disclosure requirements for all sales of land
 - Changes to extension of time for settlement in certain cases
 - Changes affecting mortgages
 - Changes affecting leases including assignment
 - Changes affecting easements including enforceability of covenants upon subsequent owners of land
- Understand existing provisions repealed by the Property Law Bill 2023

Presented by **Michael Thomson**, Barrister, Fullagar Chambers

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law



THE REGULATION OF TERMS CONTRACTS FOR THE SALE OF LAND IN VICTORIA

THURSDAY, 19 SEPTEMBER 2024
1.00PM TO 2.00PM AEST

\$160
WEB249V08

Are you aware of the dangers of inadvertently creating terms contracts? In conveyancing, drafting a contract of sale of land demands expert precision to avoid the unintended consequences. Explore common pitfalls that lead to non-compliance with rules under the Sale of Land Act 1962 and avoid potentially rendering your contracts voidable. Don't miss this opportunity to equip yourself with the knowledge needed to safeguard transactions and protect the interests of all parties involved.

Chair: **Kelly Young**, Director, Estate Conveyancing

The Regulation of Terms Contracts for the Sale of Land in Victoria

Gain insights into the pitfalls of inadvertently creating terms contracts when contract drafting in Conveyancing and learn best practices to ensure compliance and protect client interests as you consider:

- When parties may wish to rely on a terms contract for the sale of land
- The potential benefits and downsides of executing a terms contract
- When a contract for the sale of land will be deemed a terms contract
- What special rules will apply if there is a terms contract?
- What all parties ought to consider before executing a terms contract

Presented by **Nicholas Bird**, Barrister, Chapman's List Barristers

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law



RETAIL AND COMMERCIAL LEASING: DRAFTING, NEGOTIATING AND END-OF-LEASE CHALLENGES

WEDNESDAY, 11 SEPTEMBER 2024
9.00AM TO 1.15PM AWST

\$505
249W03

Ready to level up your leasing practice? Ensure the success of your leasing transactions by adding to your inventory of practical skills, tips and tricks. From constructing effective agreements for lease, to negotiations and make good obligations. Be prepared to handle problematic tenants through effective strategies for termination, disputes, and misconduct and ensure you're able to protect your clients' interests at every stage of the leasing lifecycle. Don't miss this A-Z guide to Retail and Commercial Leasing.

Chair: **Brendan Ashdown**, Barrister, John Toohey Chambers; Recommended Wills & Estates Litigation Barrister, *Doyle's Guide 2023*; Recommended Family Law Barrister, *Doyle's Guide 2024*

Heads of Agreement, Agreements for Lease, Special Conditions and Flexible Arrangements

- What is the difference between a heads of agreement and an agreement for lease?
- Why do we need a heads of agreement or an agreement for lease?
- Security arrangements
- Certainty of contract
- Key provisions
- Statutory requirements

Presented by **Peter Beekink**, Partner, Lavan; Preeminent Property & Real Estate Lawyer, *Doyle's Guide 2015-2024*, *Best Lawyers 2024*, Real Property Law

Negotiating a Lease: When do you Have a Legally Binding Contract?

- Features of a binding agreement including a synopsis of the *Masters v Cameron* categories
- Concepts of uncertainty and incompleteness
- How 'heads of agreement' and 'term sheets' are considered
- Case examples involving leasing and property transactions and analysis of the courts' determination on whether the negotiations ended in a binding agreement
- Important takeaways and tips when negotiating a lease

Presented by **Matt Lenhoff**, Principal, Zafra Legal

Make Good and End of Lease Obligations: Practical Drafting Tips

- Make good and the HOA/ terms sheet stage
- The intersection between repair and maintenance and make good
- The intersection between tenant alterations and additions and make good
- Are make good clauses becoming more or less prescriptive?
- Lump sum payments in lieu of make good
- Lessons from the cases

Presented by **Simon Moen**, Partner, Jackson McDonald; Recommended Property & Real Estate Lawyer, *Doyle's Guide 2024*

Leases in Trouble: Termination, Disputes and Misconduct

Whether you're dealing with a problematic tenant or navigating the legalities of ending a lease, leave with the knowledge you need to protect your clients' interests as you consider:

- Termination and repudiation
- Misleading or deceptive conduct
- Unconscionable conduct
- Insolvency-related issues

Presented by **Tom Webb**, Barrister, Quayside Chambers

This course has been approved by DMIRS under elective category 2.
CPD Approval Number: LEGALW26 (4 CPD Hours) Face to Face
CPD Approval Number: LEGALW27 (4 CPD Hours) Online

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

SMALL BUSINESS RESTRUCTURING: PRACTICAL STRATEGIES AND RECENT DEVELOPMENTS



TUESDAY, 10 SEPTEMBER 2024
12.00PM TO 1.15PM AEST

\$160
WEB249Q03

All business lawyers, and not only insolvency lawyers need to understand the small business restructuring scheme. It is expected that appointments under the scheme will continue to rise in this economic climate, as the SBR framework provides a useful mechanism for small businesses to be able to reassess, plan and move forward with their business. Gain practical strategies, case studies and examine recent developments.

Chair: **Peter Mills**, Principal Consultant, Keypoint Law

Small Business Restructuring (SBR) – What it is And How it Works

- What is SBR
- Who is eligible for SBR
- The SBR process
- Who is the Restructuring Practitioner
- Developing the Restructuring Plan
- Implementing the Restructuring Plan
- Benefits of SBR
- Comparison to Voluntary Administration
- Restructuring appointments – the stats
- Case studies and tips
- If participant is a sole trader - should you incorporate rather than personal liability
- Tax issues

Presented by **Ashley Leslie**, Director – Restructuring & Recovery, Vincents; Registered Official Liquidator and Trustee in Bankruptcy

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law

FAMILY PROVISION APPLICATIONS: NEW PROCEDURE, CLAIMS, DEFENCES AND MITIGATION



WEDNESDAY, 4 SEPTEMBER 2024
2.00PM TO 5.15PM AEST

\$420
WEB249Q02

Join for an in-depth exploration of the ins and outs of family provision applications. Explore recent changes in Family Provision Supreme Court Procedure, understand eligibility criteria and the “needs” assessment in adult children claims, master defences against family provision claims and refine your family provision practice. Elevate your expertise in just one seminar!

Chair: **Chelsea Baker**, Senior Associate, Mullins Lawyers; Recognised as a Rising Star in Wills, Estates & Succession Planning – Queensland, *Doyle's Guide 2023*

Professional Skills

Recent Changes in Family Provision Practice and Procedure

- Review of Supreme Court Procedure for family provision applications
- Update on the progress of proposed legislative changes since the Public Policy Paper: Review of Succession Act 1981 by the Department of Justice and Attorney General
- Discussion on how to adapt to legislative changes

Presented by **James Daly**, Managing Associate, Armstrong Contested Wills & Estates

Adult Children Family Provision Claims: Does Everyone Get a Prize?

- Who can claim
- Different categories of adult children
- The assessment of “need” in adult children claims
- Recent adult children family provision cases

Presented by **Jenna Hutchinson**, Partner, Turner Freeman Lawyers; Recommended Wills and Estate Litigation Lawyers, *Doyle's Guide 2023*

Breaking Down the Estrangement and Disentitling Conduct Defences to Family Provision Claims

- Fitting the defence into the Singer v Berghouse principles
- The quality and methodology of the evidence to be used
- Conduct that is and is not disentitling
- Estrangement distinguished
- Estrangement as capable of constituting conduct
- The costs consequences of a successful reliance on the defence

Presented by **David Topp**, Barrister, Bank of NSW Chambers; Recommended Wills & Estates Litigation Junior Counsel, *Doyle's Guide 2023*

Estate Planning to Mitigate Against Family Provision Applications: A Litigator's Perspective

- An overview of the available strategies, including their inherent advantages, disadvantages and risks
- Joint tenancies
- Superannuation and life insurance
- Family trusts
- Inter vivos transfers
- Gift and loan back schemes
- Bottom of the range gifts
- Statement of wishes
- Consideration of the different types of claims that may arise in response to these strategies (e.g undue influence)
- Tips and traps to avoid when drawing wills involving disinherited eligible claimants and implementing the above strategies

Presented by **Sean Powell**, Partner, Robbins Watson;

ATTEND AND EARN

4 CPD UNITS

2.5 units in Substantive Law
0.5 units in Professional Skills

EXPERT GUIDE TO FAMILY PROVISION CLAIMS: KEY CLAIMANTS, NOTABLE CASES AND ESSENTIAL TOOLS

THURSDAY, 26 SEPTEMBER 2024
9.00AM TO 5.15PM AEST

\$795
249N21

Leverage this unique opportunity to level-up your knowledge of family provision claims. In this seminar, you will explore the best conduct for family provision litigation, how to defend a family provision claim, and equitable remedies available to your clients. Additionally, our expert speakers will provide you with guides and strategies for managing a Section 95 release and what to do to ensure settlement between executor and plaintiff.

SESSION 1: DEALING WITH COMPLEX FAMILY PROVISION CLAIMS

9.00AM TO 1.15PM AEST \$505 249N21A

Chair: **Angela Djukanovic**, Barrister, Chalfont Chambers

Prickly Issues in Family Provision

- Out of time applications
- Estrangement
- Spendthrift/bankrupt beneficiaries
- Solicitor's professional obligation to the Court vs the best interests of the client
- Ways in which solicitors can assist family prior to the death of the testator

Presented by **Michael Perkins**, Principal Lawyer, Autonomy First; Recommended Wills, Estates & Succession Planning Lawyer – New South Wales, *Doyle's Guide 2023* and **Amber Geake**, Associate, Autonomy First

Claims by Minors: Legal Considerations and Protective Measures

- Practical considerations in bringing claims on behalf of minors
- Legal principles
- Tutors: who can act as a tutor, conflicts of interest, obligations of tutors, costs, procedural matters
- Approval of settlements

Presented by **Alisa Green**, Barrister, 13th Floor St James Hall

Estoppel, Trusts and Family Provision Claims

- Principles relevant to proprietary estoppel, common intention and joint endeavour constructive trusts and resulting trust claims
- Overlap in relevant facts between estoppel or trust claims and family provision claims
- Cost benefit considerations in running alternate claims

Presented by **Craig Birtles**, Barrister, Two Wentworth Chambers; Preeminent Leading Wills & Estates Litigation Junior Counsel – New South Wales, *Doyle's Guide 2023*

Section 95 Releases: Principles and Requirements

- Overview of s 95: jurisdictional rationale and relevant principles
- Types of releases: inter vivos and after death
- When s 95 releases are (or should be) sought
- Making an application for a release, including documents and evidence required
- When approval of a release might not be forthcoming
- Recent cases, including *Robinson v Robinson* (2020) 102 NSWLR 1; [2020] NSWCA 4 and *Last v Lewis* [2022] NSWSC 791

Presented by **Patricia Muscat**, Barrister, 13 Wentworth Chambers; Leading Wills & Estates Litigation Junior Counsel – New South Wales, *Doyle's Guide 2023*

SESSION 2: INNOVATIVE STRATEGIES AND LEADING PRACTICES FOR HANDLING FAMILY PROVISION CLAIMS AND DISPUTES

2.00PM TO 5.15PM AEST \$420 249N21B

Chair: **Andrew Stevens**, Barrister, Two Wentworth Chambers

Best Practice in the Conduct of Family Provision Litigation

- Early forensic decisions: essential evidence vs evidence which may be counter-productive
- Scope and nature of reply evidence
- Informal proof under Practice Note SC EQ 7, par 35
- Situations in which expert evidence must be adduced
- Preparation for final hearing

Presented by **David Liebhold**, Barrister, 13 Wentworth Chambers; Recommended Wills & Estates Litigation Junior Counsel – New South Wales, *Doyle's Guide 2023*

Defending a Will/Family Provision Claim

- Documents required in accordance with the new Practice Note
- Disclosure of both parties
- Discovery of both parties
- Settlement negotiations
- Case preparation

Presented by **Linda Clarke**, Barrister, Two Wentworth Chambers

What to Do When a Beneficiary Refuses a Settlement Between an Executor and Plaintiff?

- Legal options available to executors and plaintiffs, including court applications to approve the settlement and mechanisms for compelling or bypassing beneficiary consent.
- Mediation and conflict resolution strategies
- Fiduciary duties of the executor, ensuring that all actions comply with legal and ethical standards while balancing the interests of all parties involved

Presented by **Victoria Hartstein**, Barrister, Chalfont Chambers

ATTEND AND EARN

7 CPD UNITS

7 CPD in Substantive Law

ESTATE PLANNING AND ADMINISTRATION FORUM

THURSDAY, 5 SEPTEMBER 2024
9.00AM TO 5.15PM AEST

\$795
249V03

Explore the intricate world of estate planning with a rundown of recent family provision cases and practical concerns of mutual wills agreements. Navigate the twists of probate applications and delve into professional executorship options. Beware the subplot of elder abuse and capacity. Master the best financial options in estate planning as you uncover recent discretionary trust issues, taxation nuances and glean superannuation insights from recent decisions. Join this epic journey, where expertise meets empowerment in just one event.

SESSION 1: PRICKLY ISSUES OF ESTATE PRACTICE

9.00AM TO 1.15PM AEST \$505 249V03A

Chair: Jennifer Maher, Director, Velocity Legal; Recommended as Leading Wills, Estates & Succession Planning Lawyer, *Doyles Guide* (2018 -2023)

Estate Case Wrap-up: Family Provision Plus

- A life interest for the child who never left
 - *Pozzebon v Pozzebon* [2024] VSC 205
 - Bequest of real property by attorney under enduring power of attorney prior to testator's death. Does ademption apply?
 - *Baumer; Sternfein v Bloom & Anor* [2024] VSC 121
 - Application made by the defendants for summary dismissal of the claim for a stepchild who claims to be an eligible person under s.90(g) of the definition of eligible person
 - *Laird v Laird* [2024] VSC 666
- Application for judicial advice where deceased provided alternative clauses in his Will depending on what was owned at death
 - *Baird* [2024] VSC 74
- Application to revoke a grant. Test to be implied. Considering of *Gardener v Hughes* (No 2)

Presented by **William Gillies**, Barrister, Foley's List

The Who, What, Where and How of Mutual Wills Agreements

- Gain a great understanding of the background of mutual wills
- Critique the current case law and determine what makes a "mutual wills agreement" in 2024
- Develop skills for identifying which clients may benefit from a mutual wills' agreement
- Learn risks, tips and tricks for developing strong and practical mutual wills agreements

Presented by **Anna Hacker**, Client Director, Pitcher Partners; Accredited Specialist in Wills and Estates

Ethics & Professional Responsibility

Professional Executorship Options

- Ethics of appointments
- Commission/remuneration
- Rights and responsibilities

Presented by **Daniel Kelliher**, Accredited Specialist - Wills and Estates, Eastern Bridge Lawyers; recommended as Leading Wills & Estates Litigation Lawyer (Victoria), *Doyle's guide* 2022

Navigating Applications for Probate of Informal Wills

- The legislative framework for applications for a grant of probate of an informal will
- Evidence required in propounding an informal will
- Recent case examples

Presented by **Rachael Hocking**, Principal Solicitor, KHQ Lawyers; Accredited Specialist Wills and Estates; Recommended Wills and Estates Litigation Lawyer and Leading Wills, Estates and Succession Planning Lawyer, *Doyle's Guide* 2023.

Elder Abuse and Capacity – Being Aware When Estate Planning

- What is elder abuse?
- Where to look and how to spot elder abuse? For example, how is elder abuse commonly perpetrated in the context of a person with diminishing capacity?
- Who has the power to investigate / take action for elder abuse while the victim is alive? What about when the victim has died?
- How does an executor of a deceased estate or a decision maker for a person without capacity recover assets?
- What are some common complexities / problems encountered in the investigation of elder abuse and the recovery of assets? How do you overcome them?

Presented by **Simon Pitt SC**, Barrister, Greens List; recommended as leading Wills & Estates Litigation Barrister (Victoria), *Doyle's Guide* 2023 and **Bree Ridgeway**, Barrister, Victoria Bar

SESSION 2: MAXIMISING THE VALUE OF THE ESTATE: TRUSTS LAW, TAXATION AND SMSFS

2.00PM TO 5.15PM AEST \$405 249V03B

Chair: **Elefteria Konstantinou**, Barrister, Greens List

Recent Discretionary Trust Issues

This presentation will discuss the Court's recent treatment of trust issues including

- Trustee discretion – the lie of the land post *Owies*
- Deed variation: *Re Gengoult-Smith Family Trust* [2024] VSC 189

Presented by **Greg Russo**, Principal Solicitor, Greg Russo Law; recommended Wills & Estates Litigation Lawyer (Victoria), *Doyle's Guide* 2023

Taxation: A Practical Guide to Planning and Administration

- Income stages for deceased estates
- Accumulation of estate income
- Non-resident executors & beneficiaries
- Superannuation death benefits tax
- Main residence exemption extensions
- Small business CGT concession extensions
- CGT – specific v present entitlement
- Tax & duty implications of deeds of family arrangements
- Tax implications of types of testamentary trusts

Presented by **Allan Swan**, Director, Estate Planning Equation; lecturer in the Master of Applied Law degree at the College of Law, an instructor for Leo Cussen Institute for Law and other professional associations

Superannuation: Tips and Tricks from Recent Decisions in Both SMSF and Non SMSF Worlds

- Recent and interesting superannuation court and tribunal decisions for both SMSFs and non SMSFs continue to guide how practitioners review and draft their superannuation trust deeds
- Walk through a selection of those cases and the lessons learned (or prior views reinforced) for both lawyers and financial advisers in choosing superannuation trust deeds for their clients
- Interplay of superannuation considerations within the overall estate planning aspect and the importance of these superannuation considerations as part of a complete estate planning exercise

Presented by **Terence Wong**, Senior Associate, Sladen Legal

ATTEND AND EARN

7 CPD units in Substantive Law

7 CPD UNITS

ESSENTIAL STRATEGIES FOR FAMILY PROVISION CLAIMS

THURSDAY, 12 SEPTEMBER 2024
9.00AM TO 5.15PM AWST

\$795
249W04

Leverage this unique opportunity to level-up your knowledge of family provision claims. Explore the best conduct for family provision litigation, how to defend a family provision claim, and equitable remedies available to your clients. Additionally, gain expertly created guides and strategies for managing a Section 95 release and what to do to ensure settlement between executor and plaintiff.

SESSION 1: NAVIGATING FPC: CASE LAW UPDATES, SPECIAL CONSIDERATIONS FOR MINORS AND STRATEGIES FOR CONCURRENT CLAIMS

9.00AM TO 1.15PM AWST \$505 249W04A

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

Recent Developments: Keremestevski and Other Cases

Uncover the influence of Justice Seaward on the development of the law relating to family provisions in Western Australia and the implications on your matters.

Presented by **John Hockley**, Barrister, Francis Burt Chambers; Qualified Negotiator, Mediator, Arbitrator and Adjudicator

Challenging or Defending a Family Provision Claim

- Grounds for challenging or defending a family provision claim
- Contentious probate proceedings
- Practice, procedure and strategy
- Legal costs consequences of contentious probate proceedings

Presented by **Kellie Woods**, Barrister, Francis Burt Chambers

Claims by Grandchildren and Minors

- Challenges involving claims by minors
- What safeguards does a minor need?
- Settlements

Presented by **Michelle Bennett**, Barrister, Francis Burt Chambers

How to Run Various Claims Concurrently

Presented by **Maree van der Kwast**, Senior Consultant, Private Clients Group, Jackson McDonald; Leading Wills & Estates Litigation Lawyer – Western Australia, *Doyle's Guide 2023*

SESSION 2: PRACTICAL STRATEGIES FOR DEALING WITH CONTRACTING OUT, ETHICAL CHALLENGES, AND TAX IMPLICATIONS IN FAMILY PROVISION

2.00PM TO 5.15PM AWST \$420 249W04B

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

Contracting Out of the Family Provision Claims in Australia

- What is contracting out?
- What is the law on contracting out in Western Australia?
- Jurisdictions which have court sanctioned contracting-out by application
- Agreements which might be used as a valid substitute for contracting out

Presented by **Craig Gregson**, Principal Solicitor, Gregson and Associates; Recommended Wills, Estates & Succession Planning Lawyer – Western Australia, *Doyle's Guide 2023*; Recommended Wills & Estates Litigation Lawyer – Western Australia, *Doyle's Guide 2023*

✔ Ethics or Professional Responsibility

Ethical Considerations in FPA Claims and Deceased Estate Matters

- Acting for multiple executors
- Dealing with difficult families
- Confidentiality
- Client capacity
- Wearing two hats, acting as attorney and solicitor
- Conflicts of interest

Presented by **Heather Williams**, Director & Principal Solicitor, Sunstone Legal

Tax, SMSFs and Family Provision Claims

- Tax consequences for beneficiaries receiving distributions from an estate, including potential capital gains tax, income tax, and stamp duty liabilities
- Navigating the complexities of superannuation death benefits and ensuring compliance with binding death benefit nominations
- Ensuring that SMSFs are effectively incorporated into comprehensive estate planning strategies to protect against family provision claims

Presented by **Yikai Hoe**, Director, Provident Lawyers

ATTEND AND EARN

7 CPD UNITS

1 CPD Point in Ethics or Professional Responsibility
6 CPD Points in Substantive Law