

DVD Program

Over 12 hours of content

1 CPD point per hour viewed



Queensland
Law Society

Major sponsor



BOND
UNIVERSITY
FACULTY OF LAW

Symposium 2017

Framing the future

Day 2 DVD Program

Saturday 18 March

Disc 1
30mins

Welcome

Presenter: **Christine Smyth**, President, Queensland Law Society; Partner, Robbins Watson Solicitors and Accredited Specialist (Succession Law) – Qld

Attorney-General's Address

Presenter: **The Honourable Yvette D'Ath MP**, Attorney-General and Minister for Justice and Minister for Training and Skills

Chair: **Christine Smyth**, President, Queensland Law Society; Partner, Robbins Watson Solicitors and Accredited Specialist (Succession Law) – Qld

CRIMINAL

Disc 2
1hr 26mins



Case law and legislation update

Join Her Honour Judge Julie M Dick SC for a review of interesting Court of Appeal and District Court decisions over the last twelve months, as well as significant legislative changes you need to be aware of.

Presenter: **Her Honour Judge Julie M Dick SC**, District Court of Queensland

Chair: **Julia Jasper**, Senior Criminal Lawyer, Couper Geysen and Accredited Specialist (Criminal Law) – Qld



Justice mediation and negotiating criminal matters: Where is the compounding line?

Mediation can be a cheaper and quicker way to resolve civil disputes; but how does it translate to the criminal jurisdiction?

Join our expert presenter for a discussion around this unique tool for the resolution of lesser criminal offences.

Presenter: **Adrian Braithwaite**, Barrister, Queensland Bar and Accredited Specialist (Criminal Law) – Qld

Chair: **Julia Jasper**, Senior Criminal Lawyer, Couper Geysen and Accredited Specialist (Criminal Law) – Qld

COMMERCIAL LITIGATION

Disc 3
1hr 21mins



Tortious remedies in commercial litigation

This session will examine the tortious remedies commonly awarded in commercial litigation with a focus on:

- recent developments in the law of remedies in commercial disputes
- damages in tort, in particular factors relevant to the assessment of past and future economic loss
- damages to vindicate property rights and aggravated and punitive damages
- factors relevant to issues of mitigation and contribution.

Presenter: **Brett Heath**, Special Counsel, Carter Newell Lawyers

Chair: **Rob Ivessa**, Barrister, Queensland Bar



The psychology of commercial disputes

Disputes in the commercial arena can be highly emotional for clients. This session will help you to better prepare your client for the commercial dispute process to ensure that you get them the best results. This session will focus on:

- emotional issues in a dispute process
- how to help the client de-escalate emotions
- how clients can become blocked and can't make a decision
- how you can get your client's point across to help the client settle a dispute
- preparing the client for the emotional reactions before they get them.

Presenter: **Dr Anne Purcell**, Director, Resolution Partners

Presenter

and Chair: **Sarah Davies**, Director, Sarah Davies Legal Pty Ltd and Accredited Specialist (Commercial Litigation) – Qld

Disc 4
1hr 27mins**Adrift in a revenue sea: Survival techniques for the lone practitioner**

This session will explore the diverse occasions when legal practitioners encounter revenue-related issues in practice. With the 'knowledge gap' which has arisen as a consequence of the removal of taxation law as a mandatory unit of study in law school programs, this problem has now become manifest. This session will look at practical solutions to the dilemma and strategies which practitioners can employ, in both the short and long-term, to bridge the gap and to enable them to act in the best interests of their clients without the need to employ the services of accountants or financial advisors.

Presenter: **Hugh Zillman**, Assistant Professor, Faculty of Law, Bond University

Chair: **Greg Spinda**, Partner, Carew Lawyers

**Accounting shenanigans: How are financial statements manipulated and what do lawyers need to look out for?**

Accounting is not black and white - it requires judgement. Financial information can be pessimistically, optimistically or even fraudulently prepared. How do you know which information you are dealing with?

This informative session is for all lawyers who deal with transactions or disputes that involve financial information, and will cover the following questions:

- in a sales transaction is the vendor overstating earnings and so artificially inflating the sales price?
- in a matrimonial matter, is a party understating business earnings to artificially reduce the value of their equity stake?

Our expert presenter looks at some of the top ways earnings are manipulated and how accounting shenanigans led to some of the world's largest corporate collapses.

Presenter: **Simon Cook**, Director, Lotus Amity

Chair: **Greg Spinda**, Partner, Carew Lawyers

Disc 5
1hr 21mins**Security for costs masterclass: To Barro and beyond**

When the wealth of one of the parties to a family law dispute is controlled by the other, interim Barro orders are a great way to even the playing field; but how do you ensure your application will succeed?

Take your preparation, drafting, and advocacy skills to the next level with our expert presenter and explore tips for persuasive oral submissions, as well as practical advice about the Court's expectations of practitioners coming before the court seeking urgent and interim orders.

Presenter: **His Honour Judge Michael Jarrett**, Federal Circuit Court of Australia

Chair: **Dan Bottrell**, Partner, Jones Mitchell Lawyers and Accredited Specialist (Family Law)

**Case law and legislation update**

Designed to provide you with a snapshot of case law over the past year, this session will provide you with a summary of recent and significant decisions that are sure to impact on your day-to-day practice.

Presenter: **The Honourable Justice Catherine Carew**, Family Court of Australia

Chair: **Dan Bottrell**, Partner, Jones Mitchell Lawyers and Accredited Specialist (Family Law)

Disc 6
1hr 21mins**Update: Case law, legislation and practice direction**

Highlighting the most significant legal and practical changes for commercial litigators in 2016-2017, this session will help you remain up to date in your legal practice.

Presenter: **The Honourable Justice David Jackson**, Supreme Court of Queensland

Chair: **Nola Pearce**, Special Counsel, Carter Newell and Chair, Queensland Law Society Ethics Committee

**Ten tips for commercial litigation management**

This session will provide a brief update on recent developments in commercial litigation management, e.g. e-trials as well as provide practitioners with practical hints and tips for:

- managing resources and resources that aren't in the practitioner's control
- identifying roles and costs and what needs to be achieved
- managing your client, other side's client, barristers, QC and junior
- creating a framework to think about litigation (e.g. scoping, planning, managing and closing).

Presenter: **Joanne Rees**, Chief Executive Officer, Allygroup

Chair: **Darrell Kake**, Director and Solicitor, 1 Legal and Accredited Specialist (Commercial Litigation) – Qld

Disc 7
1hr 16 mins



What every business owner needs to know to protect themselves from viruses, hackers and other cyber-security threats



According to the Australian Competition and Consumer Commission \$229 million was estimated to be 'scammed' out of Australians in 2015 with small to medium businesses being a primary focus for cyber-criminal activities. Why are they targeting you? What do they want? Join our presenter as he demystifies the cyber-underworld and provides you and your firm with actionable steps you can implement to minimise your risk of being a victim!

Presenter: David Rudduck, Managing Director, Insane Technologies

Chair: Greg Spinda, Partner, Carew Lawyers



The future of legal practice: Are you keeping up?

Keeping up with the rapid change of technology and the impact it has on the operation of a business is a challenge for any organisation. Whilst most organisations embrace change and evolve to meet sophisticated and demanding client needs the legal professional is still slow to catch up and adopt new technology, new business structures and styles in the provision of professional services. So throw away your timesheets, move away from your desk and open your mind to learning about the legal practice in the future. This practical session will provide ideas on how you can future proof your business and discuss the following:

- the changing legal landscape – doing business in the worldwide market
- dealing with the one click generation
- outsourcing and offshoring
- pricing pressures
- commoditisation – unbundling of legal services
- the informed and sophisticated client
- flexible working practices
- information highway.

Presenter: Matthew Burgess, Director, View Legal

Chair: Matt Dunn, Acting Chief Executive Officer, Queensland Law Society

Disc 8
49mins



Coordinated Family Dispute Resolution: Achieving safe mediation when there is domestic violence



Coordinated Family Dispute Resolution (CFDR) is a complex and resource-intensive model of family mediation, which facilitates safe outcomes in parenting disputes involving a history of family violence. Co-designed by Rachael Field and Angela Lynch of Women's Legal Service Brisbane, CFDR was piloted around Australia in 2011 and 2012 and evaluated by the Australian Institute of Family Studies (AIFS). AIFS described the model as being 'at the cutting edge of family law practice'.

Join our expert presenter as she explains the model and how it ensures the safety of victims of domestic violence, and their children, involved in parenting disputes.

Presenter: Dr Rachael Field, Professor, Faculty of Law, Bond University

Chair: Kara Cook, Vice President, Queensland Law Society and Director and Principal Lawyer, Cook Legal

Disc 9
59mins



All is fair in love and war – but not contracts

Whether you advise small business clients about their standard terms and conditions or consumers; you need to come up to speed with the recent developments in relation to small business contracts. Over four months ago the existing unfair contract term protections in the Australian Consumer Law for consumers were extended to cover standard form small business contracts. This practical session will, with reference to Australian and United Kingdom decisions, provide guidance on the key provisions of the legislation and answer the following questions:

- what is a small business contract?
- what is a standard form contract?
- how is the presumption of a standard form contract rebutted?
- which contracts and terms are excluded?
- when is a term of a small business contract unfair?
- what happens if a Court finds a term is unfair?

Presenter: Dr Paul O'Shea, Principal, O'Shea Lawyers

Chair: David Grace, Consultant, Cooper Grace Ward Lawyers and Chair, Queensland Law Society Competition and Consumer Law Committee

Disc 10
55mins**Legal professionalism in the 21st century**

The contemporary legal services delivery landscape is undergoing radical transformation, and so too is our understanding of what it means to be a legal professional. Professionalism for lawyers today means much more than courtesy to colleagues and clients, or compliance with professional conduct rules. It embraces cultural competency, digital literacy, emotional intelligence and an authentic commitment to the public good. Our expert presenters deliver an inclusive and inspiring model for legal professionalism in the 21st century, and consider how it can be practised and how it can be taught.

Presenters: **Professor Nick James**, Executive Dean, Faculty of Law, Bond University
Stafford Shepherd, Director, QLS Ethics Centre, Queensland Law Society

Chair: **Matt Dunn**, Acting Chief Executive Officer, Queensland Law Society

2pm

CLOSING PLENARYDisc 11
55mins**Fit for the Future**

Digital disruption, global reach, and the changing workplace affect us all, and at all levels - individual, team, organisation, and community. The future belongs to those with foresight, flexibility, and a forward-looking, optimistic focus.

Take an educational, eye-opening, and engaging ride into the future to learn about the global megatrends shaping your industry, the mindset that helps you lead the change, and the skills you need to get things done in a fast-changing world.

Presenter: **Gihan Perera**, Futurist, Speaker, Author and Consultant

Chair: **Christine Smyth**, President, Queensland Law Society; Partner, Robbins Watson Solicitors and Accredited Specialist (Succession Law) – Qld

END OF DAY 2 RECORDED SESSIONS

Resource order form/Tax invoice

Delegate information	
QLS number	
First name	
Last name	
Organisation	
Postal address	
City/town	Postcode
Phone	Mobile
Email	

Payment																			
Please note that full payment must accompany your order.																			
Total payment (inc. GST) \$																			
<input type="checkbox"/> My cheque payable to Queensland Law Society Inc is enclosed																			
<input type="checkbox"/> Please debit my credit card (Diners Club is not accepted)																			
<input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> Amex																			
Card number																			
<table border="1"> <tr> <td><input type="text"/></td><td><input type="text"/></td> </tr> </table>		<input type="text"/>																	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>		
Cardholder name																			
Expiry date	Amount \$																		
Cardholder signature																			
<small>This document will be a tax invoice for GST purposes when you make payment. Please retain a copy of this for GST records.</small>																			

Resource details		
Order option	Due date	Price (inc. GST)
<input type="checkbox"/>		

Missed an event? Visit qls.com.au/shop for the latest conference and seminar resources.

Privacy: Queensland Law Society (the Society) respects your privacy and is committed to the Information Privacy Principles contained in the Information Privacy Act 2009 (Qld) and the Australian Privacy Principles contained in the Privacy Act 1988 (Cth). The Society collects personal information about you to provide services to you, to improve the quality of those services, and to provide you with information about other services and events we offer. For these purposes, we may disclose your personal information to organisations to whom we outsource functions such as market research and to our service entities. The Society also uses this information to conduct research for the development of educational and professional programs.

At any event held by the Society, your image may be photographed or filmed at any time throughout the event. We may use, publish or reproduce your image or recording of you in any form of published communication material to promote the Society's services and to report on its events through its publications and resource material such as our Annual Report, *Proctor*, Twitter and Facebook pages. Your consent to the use of your image in full or part for any Society related purpose is taken to be given by attending this event. The Society takes reasonable steps to ensure your personal information is not exposed to misuse, loss or unauthorised access.

The Society may also use third parties to administer and deliver services and communications to attendees by email or mail. Some third party suppliers or their products and services are located overseas. Business details and personal information you choose to provide on this application

may be transferred to an overseas recipient and stored overseas to administer such services and communications to you. By completing this application, you agree to this transfer and Australian Privacy Principle 8.1 will not apply to this disclosure.

In accordance with the Electronic Transactions (Queensland) Act 2001, the Society may provide notices or correspondence to you by electronic communication. By completing this application, your consent to this form of contact is taken to be given. Should you not wish to have your image photographed or filmed, please contact the Society at privacy@qls.com.au to advise that you do not wish to be photographed or filmed.

If, at any time, you would prefer that the Society did not use or disclose your personal information, including your image, please contact the Society at privacy@qls.com.au. If your details change or you wish to access the information the Society holds about you, please contact the Society on 1300 367 757.

Disclaimer: As DVD resources are visually recorded at the time of the event, post production may take 3–6 weeks. This timeframe should be considered when purchasing resources. For any pre-existing DVD resources, please allow a 2 week period for delivery.

Events and Resources Policy: Visit qls.com.au/events_policy to view the policy or for more information please contact the Society at eventss@qls.com.au