

Criminal Law Conference

Recorded: 2 August 2019 | 9.5 hours
2019/2020 CPD year

Overview

Queensland Law Society's Criminal Law Conference is the premier professional development event for criminal lawyers and other interested professionals in Queensland. We are honoured to welcome an impressive roster of presenters from the judiciary, private Bar and practice, as well as the field-experts including the ARGOS Task Force.

This year's program is full of recent case-analysis, legislative updates and practical skills which will bolster your skillset and future-proof your professional toolkit.

9.5 CPD Points



1 hour
30mins



Insights from senior legal practitioners and regulators into the life of a criminal law solicitor

Start the day with a riveting discussion with QLS President Bill Potts and a panel of senior criminal law practitioners on some of the unique challenges facing criminal law solicitors today. This panel will consider the ongoing struggles of criminal law practitioners and how to successfully navigate this challenging area of practice – inside and outside of firm walls.

Key takeaways on the importance of walking the fine line of professional independence will appeal practitioners in all areas of law.

Panellists:

Bill Potts, President, Queensland Law Society; Director, Potts Lawyers; Member, Queensland Law Society Criminal Law Committee and Queensland Law Society Senior Counsellor

Alan MacSporran QC, Chairperson, Crime and Corruption Commission Queensland

Rebecca Fogerty, Partner, Jasper Fogerty Lawyers; Accredited Specialist (Criminal Law) – Qld; Member, Queensland Law Society Criminal Law Specialist Accreditation Advisory Committee and Chair, Queensland Law Society Criminal Law Committee

Glen Cranny, Principal, Gilshenan & Luton

Chair: **Stafford Shepherd**, Director, Ethics and Practice Centre, Queensland Law Society

60mins



Clean hands, dirty money: A solicitor's guide to accepting funds from clients

In the backdrop of the recent Crime and Corruption Commission prosecutions, this session is a timely refresher for practitioners on better business practices for accepting funds from client and their duties in relation to same.

This session will explore the practical and ethical issues practitioners ought to consider when accepting funds from clients to avoid unsavoury situations.

Presenters:

Stafford Shepherd, Director, QLS Ethics and Practice Centre, Queensland Law Society

Dan Rogers, Principal, Robertson O'Gorman Solicitors; Accredited Specialist (Criminal Law) – Qld and Member, Queensland Law Society Ethics Committee

Chair: **Brittany White**, Principal, Fuller & White Solicitors and Member, Queensland Law Society Criminal Law Committee

60mins



The Duties of a Crown Prosecutor in calling a witness - *R v Peros [2017] QSC 97*

This session will cover:

- Who must the Crown call in their case?
- What to do when the Crown refuses to call a material witness
- An overview of the decisions in Peros, Manning and Apostilides

Presenters:

Dominic Brunello, Solicitor, Robertson O'Gorman Solicitors and Member, Queensland Law Society Criminal Law Committee

Craig Eberhardt, Barrister, Queensland Bar

Chair: **Brittany White**, Principal, Fuller & White Solicitors and Member, Queensland Law Society Criminal Law Committee

45mins



STREAM 1A: Tendency evidence, uncharged acts and sexual interest - *R v Bauer* [2018] HCA 40

This session will examine the recent case of *R v Bauer* [2018] HCA 40 and what has changed since *HML v The Queen* (2008) 235 CLR 334. In particular, this session will explore:

- what is/are uncharged acts
- sexual interest evidence and tendency evidence and
- in what circumstances will a court permit that as admissible evidence before a jury?

Presenter: **Andrew Anderson**, Principal Lawyer, Anderson Fredericks Turner

Chair: **Brittany White**, Principal, Fuller & White Solicitors and Member, Queensland Law Society Criminal Law Committee

45mins



STREAM 1B: Drugs and alcohol in sexual assault matters: Do the issues surrounding memory and consent match the evidence

Join a toxicologist expert as he shares his observations in relation to memory and consent in over 18 months of sexual assault cases.

Presenter: **Dr Michael Robertson**, Clinical & Forensic Toxicologist and Chemist

Chair: **Patrick Quinn**, Senior Associate, Gilshenan & Luton Legal Practice and Member, Queensland Law Society Criminal Law Committee

45mins



STREAM 2A: Working in Youth Justice: What you need to know when acting for young offenders

Dealing with young offenders can be difficult. Listen to a seasoned practitioner as they share their hard earned lessons and experiences to help you deal with young offenders. If you work in youth justice – this session is not to be missed!

Presenter: **Damian Bartholomew**, Solicitor, Youth Advocacy Centre

Chair: **Brittany White**, Principal, Fuller & White Solicitors and Member, Queensland Law Society Criminal Law Committee

45mins



STREAM 2B: Social media and the law - status quo?

Do you tweet, 'gram, status-set or share online? This is the topic for you!

Social media is an ever-growing phenomenon that is impacting upon criminal lawyers in a variety of ways, both for themselves and their clients.

This session aims to educate everyone from the least tech-savvy person around to the newest members of our profession who don't know life without the internet.

Topics will include the use prosecuting authorities (and defence) can make of social media, advice to give clients throughout the course of their matter, some of the more unique issues that have arisen recently, and just what exactly a tweet is.

Presenters:

James Wallace, Partner, Wallace O'Hagan Lawyers and Member, Queensland Law Society Criminal Law Committee

Jemma Golding-Wallace, A/Senior Lawyer, Criminal Law Services, Legal Aid Queensland

Chair: **Patrick Quinn**, Senior Associate, Gilshenan & Luton Legal Practice and Member, Queensland Law Society Criminal Law Committee

45mins



STREAM 3A: How to challenge a decision of Parole Board Queensland to refuse, suspend or cancel a parole order

In 2016, Walter Sofronoff, now the President of the Queensland Court of Appeal, delivered the Queensland Parole System Review which included commentary on the benefits of judicial review, at [967]:

“From a philosophical perspective, it is a fundamental element of our democratic society that the legislative and executive always be subject to a legal reason. Judicial review provides the indispensable check imposed upon those entrusted with public power and in turn ensures the accountability of the Parole Board. This is all the more important when you consider that decisions of a Parole Board affect the safety of the community and have the potential to deprive a person of liberty.”

Delivered by the Deputy President, the session will cover how to review decisions of Parole Board Queensland, in the best interests of your client.

Presenters:

Michael Byrne QC, President, Parole Board Queensland

Kylie Mercer, Professional Board Member

Chair: **Brittany White**, Principal, Fuller & White Solicitors and Member, Queensland Law Society Criminal Law Committee

60mins



STREAM 3B: Data breach preparation: Insurance, planning & recovery

Cyber Attacks on Queensland solicitors continue, and with each successful penetration the appetite of the criminals grows. An essential part of any cyber strategy is preparation for an event – big or small – affecting network integrity and client confidentiality. The QLS Cyber Essentials group cyber policy puts essential resources within reach of smaller firms but the key to surviving a cyber incident with limited damage is preparation.

Join Chubb Insurance (the QLS Cyber Essentials Policy Underwriter), James Sowry (Director, Sentrion) and David Bowles (Ethics Solicitor, Queensland Law Society) as they discuss what ethical, legal and practical responses should occur in the event of a cyber-security breach and how to prepare a mandatory breach notification regime in advance.

Presenters:

John DePeters, Cyber and Technology Practice Manager, Australia & New Zealand, Chubb Insurance

Robert Wilkinson, Client Services Manager, Sentraian Pty Ltd

Chair: **David Bowles**, Ethics Solicitor, QLS Ethics and Practice Centre, Queensland Law Society

60mins



Developing the theory of your case

Join esteemed Barrister, Lincoln Crowley QC as he shares his experience prosecuting complex trials and appeals involving Federal offences related to serious organised crime, terrorism and State matters involving drug offences, sexual offences and serious offences of violence.

Learn from an expert how to develop a strategic plan for your trial and develop the theory of your case.

Presenter: **Lincoln Crowley QC**, Barrister, Queensland Bar

Chair: **Kristy Bell**, Associate, Fisher Dore; Member, Queensland Law Society Criminal Law Committee and Accredited Specialist (Criminal Law) – Qld

20mins



Queensland Sentencing Information Service (QIS) – an essential tool for practitioners

With technology and innovation on the rise, optimising time and efficiency in your practice is of paramount importance. QIS is a valuable and important resource for participants working in the criminal justice system—it is a key research tool that helps achieve consistency in sentencing. Users are able to search, locate and compare Queensland sentencing outcomes.

Don't be left behind! Attend this session for a quick overview of how QIS supports practitioners.

Presenter: **Georgie Berkman**, Judgments Services Supervisor, Supreme Court Library Queensland

Chair: **Kristy Bell**, Associate, Fisher Dore; Member, Queensland Law Society Criminal Law Committee and Accredited Specialist (Criminal Law) – Qld

15mins



Legal policy submission snapshot

Join us for a snapshot of Queensland Law Society's criminal law policy committee submissions over the last 12 months, and some important legislative changes around the corner.

Presenter: **Rebecca Fogerty**, Partner, Jasper Fogerty Lawyers; Accredited Specialist (Criminal Law) – Qld; Member, Queensland Law Society Criminal Law Specialist Accreditation Advisory Committee and Chair, Queensland Law Society Criminal Law Committee

Chair: **Binari De Saram**, Legal Policy Manager, Queensland Law Society
