

2015 ALTA CONFERENCE ~ PROGRAM

La Trobe Law School City Campus at Level 20, 360 Collins Street

Thursday, 16 July 2015

4.00-5.00pm **Registration**
5.00-6.30pm **Welcome Reception**

La Trobe Law School Artist-in-Residence James O'Loghlin from ABC Radio will welcome registrants to the ALTA Conference

7.00pm **CALD Dinner (for Deans and Heads of School) at Bluestone**

ALTA Conference Participants free to enjoy the culinary delights of Melbourne at their personal discretion and expense.

Friday, 17 July 2015

8.00-8.30 *Registration and arrival tea/coffee*

8.30AM - 12.15PM	Opening Plenary Session	Teaching Room 3/4 and Boardroom
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Chair: Patrick Keyzer

8.30 **Welcome to Country**

8.45 **Welcome to LaTrobe and to the 2015 ALTA Conference**

9.00 **Keynote Address: Medical-legal partnership: Prevention, access to justice and the next generation of legal and healthcare professionals**

Liz Tobin Tyler, Adjunct Professor at the Roger Williams University School of Law in Rhode Island and Assistant Professor of Family Medicine at the Alpert Medical School of Brown University and of Health Services, Policy and Practice at the Brown University School of Public Health

9.45 **Panel Discussion**

- *Liz Curran, Australian National University, Melbourne*
- *Linda Gyorki, Inner Melbourne Community Legal*
- *Elizabeth Kennedy, General Counsel and Corporate Secretary, Peter MacCallum Cancer Institute, Melbourne*
- *Bonnie Renou, Loddon Campaspe Community Legal Centre, Bendigo*

10.15 *Morning tea*

10.45 **Welcome**

John Dewar, Vice-Chancellor of La Trobe University and Adjunct Professor of Law, La Trobe Law School

11.00 La Trobe Law School and the La Trobe Law Student's Association present the Annual 2015 Leo Cussen Justice Speech:

What law schools might do to help meet unmet legal needs

The Hon Michael Kirby AC CMG

11.45 **Panel Discussion**

- *John Corker, Director, National Pro Bono Resource Centre*
- *Peggy Kerdo, Lecturer and Clinical Supervisor, La Trobe Law Clinic*
- *Chris Gallavin, University of Canterbury*

12.15 *Lunch and launch of Secretariat for Australian Lawyers for Human Rights by The Hon Michael Kirby and Nathan Kennedy, President, ALHR*

Ct'd Friday, 17 July 2015

1.30PM - 3.30PM Parallel Sessions 1A-1E

Parallel Session 1A: Burning Issues in Access to Justice (Teaching Room 1)

Chair: Susan Bothmann

Access to justice for asylum seekers

David Manne

Access to justice for prisoners, particularly people in preventive detention

Matilda Alexander

The Aboriginal Disability Justice Campaign

Patrick McGee and Patrick Keyzer

"Lifestyle choices"

Julie Cassidy and Matiu Dickson

Parallel Session 1B: Revenue Law Interest Group (Teaching Room 2)

Chair: Keith Kendall

Problems in Paradise - conscious maladministration in the ATO

Robin Woellner

Determining the duties of the taxpayer adviser to their client under the Tax Agents Services Act and general legal principles

Michael Walpole

ATO access powers - another lost opportunity

Robin Woellner

How the New Zealand anti-avoidance tax rules operate- lessons for Australia?

John Tretola

Back to the Futuris: A tale of maladministration and privilege

John Bevacqua

Parallel Session 1C: South Pacific Law Interest Group Part 1 (Teaching Room 3)

Chair: Nilesh Bilimoria

Legal education and access to justice for claimants to custom land in Solomon Islands and Vanuatu

Don Paterson

Affording a lawyer in Fiji – Confidence level renewed?

Nilesh Bilimoria

Parallel Session 1D: Using Technology Effectively (Teaching Room 4)

Chair: Jeffrey Barnes

The pervasive nature of social media: what does this mean for Australian law graduates?

Nussen Ainsworth and Gina Curro

Video production quality and student learning experiences: Using low-cost video lectures to engage non-law students studying law subjects

John Bevacqua

Exploring contract law using digital flashcards

Stephen Colbran, Anthony Gilding, Anthony Marinac, Samuel Colbran, Nauman Saeed

Piazza: Harnessing the wisdom of the crowd

Alexandra Sims

Parallel Session 1E: Clinical Innovations (Boardroom)

Chair: David Wishart

Learning about legal change: Students as Law Reform Commissioners

Judy Allen and Meredith Blake

Access to legal assistance for older adults: Meeting needs through practical legal education

Nola M. Ries and Shaun McCarthy

Designing an Australian Court Internship Program: A case study of the Victoria University Court Internship Model

Nussen Ainsworth

3.30 Afternoon tea

Ct'd Friday, 17 July 2015

4.00PM - 5.30PM

Parallel Sessions 2A-2E

Parallel Session 2A: Administrative Law and Governance (Teaching Room 1)

Chair: Marc Trabsky

Cunneen v the ICAC: Public interest v prejudice to reputation
Ian Dobinson and Leanne Houston

Anti-corruption watchdog accountability: the limitations of judicial review's ability to guard the guardians
Sarah Withnall Howe

Establishing the parameters of gross mismanagement of public funds and assets as reportable wrongdoing in whistleblowing legislation
Peter Bowal

Parallel Session 2B: A Country Practice (Teaching Room 2)

Chair: Frances Gibson

Symposium: A Country Practice' – UWA's Rural and Regional Internship Program (4 papers)
Eileen Webb (Convenor)

Presenters: Eileen Webb, Meredith Blake, Frances Hewitt, Leah O'Connell and James Moorman

Papers:

The UWA internship generally. This introduction would outline what we are hoping to do, the assistance we received from the coordinators of other clinical programs and outline the four internship streams (Social Justice, Commercial Rural and Regional and Human Rights).

The students will outline their placement and focus on one aspect of their internship experience. The presentations will provide student perspectives on:

- Aboriginal people and justice in regional Western Australia;
- Aspiring to practice in a regional town;
- A Medico-legal network for Geraldton?.

Presentation on UWA Medico-legal research partnerships and the extension to Social Work. This part of the presentation will include an overview of a project in collaboration with Advocare that will involve the three faculties.

Where to now? Two other regional towns are seeking interns. We hope to develop our rural focus and – all going well - we will place a student with the Aboriginal Family law Service in Kununurra later this year.

Parallel Session 2C: South Pacific Law Interest Group Part 2 (Teaching Room 3)

Chair: Nilesh Bilimoria

Access to justice in Pacific Small Island Developing States
Jennifer Corrin

Access v. Ethics – A possible ethical dilemma at the Legal Aid Commission of Fiji
Pamela Iuhania Kenilorea

Exploring the assumptions underlying the Articles in the Constitution of Vanuatu relating to custom land
Don Paterson

Parallel Session 2D: Equity et al. (Teaching Room 4)

Chair: Tobias Barkley

Equity release mortgages in Australia and the United Kingdom
Fiona Burns

Wilson Parking Ltd: the remedies for equitable estoppel in New Zealand
Marcus Roberts

Some recent developments in the law of statutory wills in Australia
Fiona Burns

Parallel Session 2E: Commercial Law (Boardroom)

Chair: Jianfu Chen

Chinese state owned enterprises in Australia – Some legal and investment challenges
Roman Tomasic and Ping Xiong

Can the Hong Kong immigration regime sustain the territory as a World Financial Centre?
K L Alex Lau and S. H. Goo

Access to justice: the troubled path for victims of illegal phoenix activity
Helen Anderson and Michelle Welsh

7.00PM for 7.30PM

Dinner at the Old Melbourne Gaol

Saturday, 18 July 2015

8.30am Arrival tea/coffee

9.00AM - 10.30AM

Parallel Sessions 3A-3E

Parallel Session 3A: Legal Education - Foundations and Futures (Teaching Room 1)

Chair: Paula Baron

The four pillars of Australian legal education

David Barker

The death and rebirth of the law textbook

Scott Beattie

Academic leadership – a lost profession?

Heath S Grow and Anona F Armstrong

Developing a law student profile

Lynne Taylor, Ursula Cheer, Natalie Baird, John Caldwell, Debra Wilson

Parallel Session 3B: Equity and Accessibility in Legal Education (Teaching Room 2)

Chair: Anne Wallace

Multiculturalism and service-learning accessibility

Christine Lee and Michael Spisto

Creating a comprehensive clinical and capstone experience for regional law students

Mandy Shircore

Race and the law: a critical journey for law students

Marcelle Burns and Jennifer Nielsen

Improving (whose) access to justice in residential tenancy disputes: law students v. paralegals

David Wiseman

Parallel Session 3C: Flipping Legal Education (Teaching Room 3)

Chair: David Wishart

Symposium: Enhancing active learning in legal education through flipped classes (3 papers)

Kylie Burns (Convenor)

Active learning for student engagement: The Griffith Law School active learning in law network

Kylie Burns, Mary Keyes, Karin Barac, Kate Van Doore, Therese Wilson

Blended learning in the law classroom: design, implementation and evaluation of an intervention in the first year curriculum design

Melissa Castan and Ross Hyams

Flipping the Foundation

Joanne Stagg Taylor

Parallel Parallel Session 3D: Competition and Consumer Law (Teaching Room 4)

Chair: Francine Rochford

Misleading or deceptive conduct: Some questions arising from Godfrey Hirst

Matthew Berkahn and Lindsay Trotman

Changing views concerning 'competition effects' in the US, EU and Australia: the Competition Policy

George Raitt

Reformulating section 46 of the Competition and Consumer Act: Understanding the 'purpose' and 'effect' of the Harper Review recommendations

Brenda Marshall

Session 3E: Online and MOOCs (Boardroom)

Chair: John Bevacqua

Designing and delivering open law courses using iTunesU

Stephen Colbran

Developing and teaching a MOOC: Lessons and successes

Melissa de Zwart, Dale Stephens, Rebecca La Forgia

Navigating virtual teaching environments

Michael Spisto and Christine Lee

10.30 Morning tea

Ct'd Saturday, 18 July 2015

11.00AM - 12.30PM

Parallel Sessions 4A-1E

Parallel Session 4A: Frontiers of Legal Education (Teaching Room 1)

Chair: Marc Trabsky

Online and beyond!

Stephen Colbran

Educating 'tomorrow's lawyers' cyborgs, avatars or humanists?

Melissa De Zwart and Melissa Castan

Creative thinking – lost in legal education?

Gary Cazalet

Parallel Session 4B: Local Innovations (Teaching Room 2)

Chair: John Bevacqua

Storytelling and media reports: How to engage non-law students in contract law

Tim Miles

Challenges in developing a student placement unit of Social Justice in the Northern Territory: a new program developed by Charles Darwin University Law School

Ros Vickers and Felicity Gerry

Parallel Session 4C: Assessment and Plagiarism (Teaching Room 3)

Chair: Jeffrey Barnes

Learning plagiarism: law students really must be special

Anita Stuhmcke

Assessing the critical thinking skills of law students using a criterion-referenced assessment rubric

Nick James and Kelley Burton

What does teaching, learning and assessment practice look like in law? Information sharing and benchmarking in corporations law

Julian Laurens, Judith Marychurch, Joan Squelch, Alex Steel

Parallel Session 4D: Work-Integrated Learning and Simulations (Teaching Room 4)

Chair: Patrick Keyzer

Using actors and lawyers to gain authentic feedback: lessons learned when running a law firm

Kathy Douglas, Belinda Clarence and David Goodwin

Online moots: Leveraging technology to provide greater access and opportunity for meaningful student participation

Vivi Tan and Meghann Clark

Parallel Session 4E: Legal Education for the Digital and Post-Digital World (Boardroom)

Chair: David Barker

Legal research in the post internet era

Terry Hutchinson

An evolving ethical duty of digital competence - implications for the teaching of law

Francine Rochford

12.30pm Lunch

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1.30PM - 3.00PM

Parallel Sessions 5A-5E

Parallel Session 5A: Teaching Statutory Interpretation (Teaching Room 1)

Chair: Jacinta Dharmananda

Statutory interpretation and the theory of constructive alignment

Jeffrey Barnes

Statutory interpretation and access to justice: text, context and purpose

Kate Galloway

Constructing curriculum, constructing statutes: addressing the challenges of new curriculum design with context and case studies

Maria O'Sullivan and Melissa Castan

Parallel Session 5B: Local Innovations (Teaching Room 2)

Chair: Oz Susler

Developing a model animal law curriculum

Nick James and Meg Good

Dialogue about dialogue: experience in teaching 'CopyrightX: Monash' as part of a Harvard-affiliated global course in US copyright law

George Raitt

Putting 'Evidence' on trial

Steven Eley and Aneita Browning

Parallel Session 5C: Access to Justice and Legal Education (Teaching Room 3)

Chair: Judy Gutman

What role can legal education play in meeting legal needs?

Florentina Benga

An access to justice approach to teaching mediation in legal education

Lola Akin Ojelabi

Translating norms into actions: a legal perspective on accessing justice under the NDIS

Darren O'Donovan

Global clinical legal education

James Farrell

Parallel Session 5D: First Years and Wellness Part 1 (Teaching Room 4)

Chair: Paula Baron

Symposium: Making law accessible for first year students (4 papers)

Bill Swannie (Convenor)

Making law accessible to first year students

Bill Swannie

Physical attendance on campus and first year law students

Nance Frawley

Providing effective sustainable feedback to first year law students

Cane Mitchell

Hearing the student's voice

Catherine O'Sullivan

Parallel Session 5E: Pro Bono Programs and Clinics (Boardroom)

Chair: Chris Casey

Enhancing access to justice: A transformative approach to pro bono programs in legal education

Alperhan Babacan

Student pro bono: the line between engagement and exploitation

Monica Taylor

Fostering the potential of future lawyers by nurturing their passion for justice and the law

Maxine Evers and Sally Varnham

"My team at the Alfred": the evaluation of the first generalist service available to all patients at a major metropolitan hospital in Australia

Liz Bishop and Bebe Loff

3.00pm Afternoon tea

Ct'd Saturday, 18 July 2015

3.30PM - 5.30PM

Parallel Sessions 6A-6E

Parallel Session 6A: First Years and Wellness Part 2 (Teaching Room 1)

Chair: Paula Baron

Intensive mentoring to support retention of first year non-school leaver Justice students: results from a preliminary trial

Angela Dwyer and Ashleigh Larkin

Unravelling mental distress in law and medical students: A comparative study

Fiona Burns and Rita Shackel

Parallel Session 6B: Criminal Law Interest Group (Teaching Room 2)

Chair: Emma Henderson

The Problem-Based Learning Curriculum and the teaching of the Criminal Law: a novel approach or a proven method?

Brianna Chesser and Graham Thomas

Sexsomnia: criminal responsibility and intoxication

Colleen Davis

Parallel Session 6C: Interesting People Talking about Interesting Things (Teaching Room 3)

Chair: Patrick Keyzer

Compensation runout and social security: the plaintiff lawyer's role

Prue Vines

Empirical research on the effectiveness of marine stinger warning signs against the public health threat of Irukandji stings inside netted enclosures: A potential for public authority liability in Australia?

Lynda Crowley-Cyr

Human embryonic stem cell research: science, legality and ethics

Martina Popa

Parallel Session 6D: Student Engagement, Entry into the Profession, and Challenging Traditional Notions of the Profession (Teaching Room 4)

Chair: David Wishart

Student engagement in university decision-making and governance - towards a more systemically inclusive student voice

Sally Varnham, Bronwyn Olliffe, Ann Cahill, Katrina Waite

"I just want to get in!": justice as access to the legal profession

Jane Ching

Process pluralism and legal education

Judy Gutman, Lillian Corbin, Paula Baron

Smart casual: promoting excellence in sessional teaching in law

Kate Galloway, Mary Heath, Anne Hewitt, Mark Israel, Natalie Skead and Alex Steel

Parallel Session 6E: Clinical Legal Education (Boardroom)

Chair: Susan Bothmann

Clinical legal education: Designing a whole-of-curriculum approach to intentionally teaching and assessing reflective practice

Kelley Burton

Aligning clinical legal education curriculum with threshold learning outcomes for law; the foundations for teaching and assessing the clinical performance of students in law clinics in Australia

Gwynn MacCarrick

Hell is other people: Contemplating Seligman on Sartre in the context of clinical legal education

Rachel Spencer

International students as special needs clients of an on-campus legal advice clinic

Susannah Sage Jacobson and Tania Leiman