

March 2019

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WILLS AND ESTATE DISPUTES

WEDNESDAY, 6 MARCH 2019 \$490
9.00AM TO 1.15PM 193W01

What matters might come crashing through your door at any moment? A contested probate? A prickly matter involving a convoluted web of family law and succession law issues? A muddled question of jurisdiction? A contentious capacity or undue influence dispute? Any one of these issues could demand your immediate and urgent attention, so be prepared to handle all of them, and more, through expert guidance from leaders in the field.

Chair: **Lee-Ann Cartoon**, Special Counsel, Greenstone Legal

Recent Cases and Developments in Succession Law

- Solicitors and their responsibilities
- Testators, their capacity and their responsibilities
- Beneficiaries and their entitlements
- Anticipating claims, in WA and elsewhere
- Superannuation

Presented by **John Butler**, Principal, Butlers Lawyers & Notaries, Recommended Wills & Estates Litigation Lawyer, *Doyle's Guide 2017*

Succession Law and Family Law: Intersection or Roundabout? Tips for Drivers

- Bases of entitlements
- Sequencing of claims
- Jurisdictional considerations
- Availability and effect of agreements

Presented by **Heinrich Moser**, Barrister, Arbitrator and Mediator, Stone Chambers

Contested Probate, Suspicious Circumstances and Undue Influence

- The essentials of solemn form proceedings
- Raising suspicious circumstances
- Elements of proof generally
- Pleading and proving undue influence

Presented by **Robert Nash**, Barrister, Francis Burt Chambers

Succession Law: Disparate Judicial Approaches?

- Informal Wills: a more relaxed judicial approach?
- Family provision claims for adult children: a more restricted judicial approach?

Presented by **Peter MacMillan**, Barrister, Francis Burt Chambers



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ESTATE PLANNING AND ADMINISTRATION: SKILLS AND STRATEGIES

WEDNESDAY, 6 MARCH 2019 \$490
2.00PM TO 5.15PM 193W02

Your clients will expect, and demand, the most up to date information and the latest cutting edge strategies to assist them in minimising risk and providing maximum protection for their assets. Ensure you're equipped to give them just that by perfecting your estate planning and administration practices, procedures and strategies.

Chair: **Elizabeth Heenan**, Consultant, Culshaw Miller Lawyers; Leading Wills, Estates and Succession Planning Lawyer, *Doyle's Guide 2018*

Practical Estate Planning Strategies for Blended Families and Vulnerable Beneficiaries

- Provision for second spouse
- Estate planning tools to avoid claims
- Superannuation
- Vulnerable beneficiaries: protective trusts and special disability trusts

Presented by **Amanda Liston**, Director, Clement & Co Lawyers Incorporating Amanda Liston Legal; Leading Wills, Estates and Succession Planning Lawyer, *Doyle's Guide 2018*

The Use of Additional Documents in Estate Planning

- Medical reports
- Enduring powers of guardianship and advance health directives
- Expressions of wishes for family/discretionary trust held assets; deeds of variation of trust or appointment of new/additional trustee
- Statutory declarations as to the reasons for Will provisions which might trigger claims under the *Family Provision Act 1972 (WA)*
- Business succession agreements, shareholders agreements, unit holders agreements and partnership agreements in relation to business interests of the Will maker held outside of the Will maker's personal name
- Transfer of land from joint tenants to tenants in common to bring property into the estate

Presented by **Margaret Sandford**, Senior Consultant Lawyer, M6:8 Legal

Competency Area 2: Professional Skills

Applications to the Court for Judicial Advice

- Applications for directions and advice by an executor or administrator under s 45 *Administration Act* and by a trustee of any trust under s 92 *Trustees Act*
- The general principles that the court follows in providing (or declining to provide) advice and directions
- Why and when advice or directions should be sought
- Beddoe applications
- Benjamin orders

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

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 2: Professional Skills
2 CPD points in Competency Area 4: Substantive Law



EMPLOYMENT LAW ROUNDUP

WEDNESDAY, 6 MARCH 2019 \$490
9.00AM TO 1.15PM 193W03

With so many rapidly developing changes, growing risks, and ever increasing challenges for employment lawyers, you really need to stay on top as a legal practitioner. Gain essential knowledge from our panel of experts as they delve into the most topical contemporary issues facing practitioners today, including social media in the workplace, drug and alcohol testing, sexual harassment and more.

Chair: **Mark Cox**, Director, MDC Legal; Leading Employment Lawyer, *Doyle's Guide* 2018

Drug and Alcohol Testing in the Workplace

- Learn preventative measures to introduce a safe working culture
- The links to mental health issues, workplace bullying and sexual harassment
- The introduction to testing in the workplace
- How to roll out policies and procedures in a clear and comprehensive manner
- Case study: *Harding v MMG* (2018) FWC 594

Presented by **Simon Billing**, Director, Simon Billing and Associates

Social Media, the Digital Age and the Employee

- How far can an employee go on their personal social media before it affects their employment?
- Can an employee express political opinion in a public forum?

Presented by **Erica Hartley**, Partner, HWL Ebsworth

The Weinstein Clause

The profoundly disturbing revelations of the behaviours of Harvey Weinstein and other entertainment, legal and political luminaries have pushed sexual harassment to the forefront of social discourse, spawning the growth of the #MeToo, #TimesUp and #Now Australia movements

- The 'Weinstein Clause': What is it?
- Where it is being utilised, eg business sale agreements
- Is it likely to come to Australia?
- If so, is it enforceable and what due diligence would be required?

Presented by **Mike Baldwin**, Special Counsel, Kott Gunning

Managing Ill and Injured Workers

- Managing ill and injured employees
 - Performance management
 - Termination process
- Seeking independent medical advice: framing the issues
- Implementing successful return to work processes

Presented by **Joanna Knoth**, Senior Associate, MDC Legal

Strategies and Developments in Enterprise Bargaining and Industrial Disputation

- Is an enterprise agreement necessary or even desirable anymore?
- Terminating enterprise agreements: The way of the future?
- How to apply the better off overall test (BOOT)
- Developments in good faith bargaining
- New limits on industrial action

Presented by **Ben Marshall**, Partner, Holding Redlich

CPD CORE COMPETENCY AREAS FOR ALL LAWYERS ON 6 MARCH

WEDNESDAY, 6 MARCH 2019 \$490
2.00PM TO 5.15PM 193W04

Do you know in detail how to deftly handle oversights and mistakes? Can you diffuse a workplace conflict? Can you speak the language of financial reports and accounting concepts? These are the sorts of often overlooked issues that can put you ahead of the pack or leave you falling behind. Attend and put yourself in a position to succeed.

Chair: **Nick Murfett**, Director, Murfett Group

Competency Area 1: Practice Management

Is Your Practice Making Any Money?

- Understanding financial reports: balance sheet, profit & loss statements
- Accounting concepts
- Other management accounts your practice needs

Presented by **GiGi Visscher**, Barrister, Francis Burt Chambers

Competency Area 2: Professional Skills

Managing Difficult Colleagues or Bosses

- Dealing with passive aggressive behaviour
- Bullies, backstabbers and bigots
- High conflict personalities

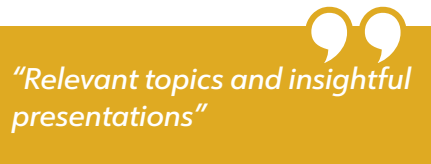
Presented by **Jo Alilovic**, Director and **Samantha Lyon**, Senior Associate, 3D HR Legal

Competency Area 3: Ethics & Professional Responsibility

How to Deal with an Oversight or Inadvertent Mistake

- Ethical principles and professional conduct issues
- Benefits of coming clean immediately
- Putting it in practice: What to do when you become aware of a mistake
- Common scenarios and possible options
- Case law

Presented by **Ashley Macknay**, Director, MDS Legal



4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management
1 CPD point in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility

PERSONAL INJURY FORUM

11TH ANNUAL

THURSDAY, 7 MARCH 2019
9.00AM TO 1.15PM

\$490
193W05

Encapsulating some of the most topical issues facing personal injury practitioners at the moment, this morning's roundup will keep you up to date with your practice. Bringing together 6 renowned experts to provide you an update on the latest cases and legislative updates in Motor Vehicle Accidents, the *Civil Liability Act* and the *Limitation Act*, and a refresher on the assessment of damages. To stay ahead in the unsparing world of personal injury law, we have the program to give you an edge.

Chair: Penny Moore, Partner, Moray and Agnew; Preeminent Third Party Insurance Lawyer, *Doyle's Guide 2018*

Up to Speed: Motor Vehicle Accident Case and Legislation Update

Review and discussion of recent case law impacting on your CTP practice.

Presented by David Burton, Partner, SRB Legal; Preeminent Compulsory Third Party Insurance Lawyer, *Doyle's Guide 2018*

Civil Liability Act Case Review: Leading Cases, the Latest Decisions and the Impact on your Practice

A review of recent decisions of importance to personal injury lawyers from WA and other jurisdictions including decisions relating to the *Civil Liability Act 2002*, occupier's liability and other recent cases of note.

Presented by Neil Morrissey, Barrister, Albert Wolff Chambers; Preeminent Insurance & Personal Injury Junior Counsel, *Doyle's Guide 2018* and Angus Castley, Partner, Bradford Legal; Leading Work Injury Compensation Lawyer, Motor Vehicle Accident Compensation Lawyer and Public Liability Compensation Lawyer and Recommended Medical Negligence Compensation Lawyer, *Doyle's Guide 2018*

Limitation of Actions and Sexual Abuse

In cases involving sexual abuse, the new limitation rules enacted by the *Limitation Act 2005 (WA)* offered a much better deal to plaintiffs than the inflexible rules of the old law. However, amendments to the *Limitation Act* in 2018 have now abolished limitation periods for child sexual abuse cases, and amendments to the *Civil Liability Act 2002* make it easier to sue unincorporated associations in such cases.

Presented by Dr Peter Handford, Emeritus Professor, School of Law, The University of Western Australia

Extending Limitation Periods in Personal Injuries

A recent NSW Court of Appeal decision might leave it open for the current WA authority in this area to be tested. Learn what the implications might be for practitioners in this area.

Presented by Brian Nugawela, Barrister, Sir Clifford Grant Chambers

Assessment of Damages: A Refresher

Accident caused injuries that are productive of financial loss may result in an award of damages for loss of earning capacity. You will take a look at:

- The law relating to loss of earning capacity
- Where assessment may be difficult due to pre accident remuneration being other than by regular weekly wage
- Where there may be difficulties dealing with issues regarding retained earning capacity

Presented by Jeff Potter, Partner, Friedman Lurie Singh D'Angelo; Recommended Medical Negligence Compensation Lawyer, *Doyle's Guide 2017*

CPD CORE COMPETENCY AREAS FOR PERSONAL INJURY LAWYERS

THURSDAY, 7 MARCH 2019
2.00PM TO 5.15PM

\$490
193W06

You have to gain your CPD core area points, so why not get them out of the way early while attending a session that's been crafted to enhance your personal injury practice? Gain practical tips and insightful guidance on how to navigate costs issues in a useful and practical panel discussion with Registrar Jacqui Kubacz and other leading specialists. Examine how to successfully plead occupiers' liability taking current legislation and common law into account and explore how to avoid ethical pitfalls that threaten to erase all of your successes.

Chair: Stephen Williams, Managing Partner, Kott Gunning; Recommended Workers Compensation Lawyer and Dust Diseases Lawyer, *Doyle's Guide 2018*

PRACTICAL PANEL ANALYSIS

Competency Area 1: Practice Management

Maximising Costs for Personal Injury Practitioners: Panel Discussion

- Best practices for maximising recovery on an assessment of costs
- Tips and traps
- Recent decisions and trends

Facilitator

Stephen Williams, Managing Partner, Kott Gunning

Panellists

Registrar Jacqui Kubacz, District Court of WA

Maria-Luisa Coulson, Managing Director, Coulson Legal

Competency Area 2: Professional Skills

Pleading Occupiers' Liability Matters

- The practical significance of the relationship between the Occupiers' Liability Act, the Civil Liability Act and the common law
- Structuring pleadings to reflect that relationship

Presented by Dr Brenda McGivern, Consultant, Moray & Agnew Lawyers; Deputy Dean of the Faculty of Arts, Business Law & Education, The University of Western Australia

Competency Area 3: Ethics & Professional Responsibility

Ethical Hotspots for the Personal Injury Practitioners

- When a client's instructions pose an ethical dilemma
- The ethics of dealing with a witness and preparing witness statements
- Ethical considerations when representing mentally ill and intellectually disabled clients
- Solicitors' obligations when making allegations of fraud
- Situations where a conflict of interest arises

Presented by Ian Weldon, Barrister, Sir Clifford Grant Chambers; former Board member, Legal Practice Board of WA

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management

1 CPD point in Competency Area 2: Professional Skills

1 CPD point in Competency Area 3: Ethics & Professional Responsibility



SOLD OUT
Last Year!

CONTRACT LAW ROUNDUP

THURSDAY, 7 MARCH 2019
9.00PM TO 4.00PM

\$870
193W07

The best way to avoid a messy contract dispute is to draft a bullet proof contract in the first place. That can be easier said than done, but with this line-up of practical sessions you will get it right the first time. Plus, should things turn sideways despite best efforts, this conference will also arm you with the knowledge and skills needed to navigate any issues involving disputes, insolvency, arbitration and more.

Chair: Rebecca Collins, Barrister, Quayside Chambers

CRITICAL CONTRACT LAW PRACTICE

Managing the Contractual Relationship

- The key to establishing good contractual relationships
- Avoiding contractual obligations and the consequences of each
 - Changing the contractual obligations
 - Repudiation
 - Frustration
 - Breach
 - Set aside
 - Termination

Presented by Tom Jacobs, Partner, Projects, Infrastructure & Construction, Jackson McDonald; Best Lawyers 2018, Construction/Infrastructure law; Recommended Construction

Going Abroad: Negotiating, Drafting, and Performing International Contracts

Australian businesses are entering international contracts more than ever before. Outsourcing of manufacture and support staff is becoming common at every level of business, whilst the internet offers an opportunity to market to the world from a home office. Gain a comprehensive overview of the considerations an Australian lawyer must have on their checklist when their client is negotiating and entering into a contract overseas, whether that client is a multinational corporation or a family business.

Presented by Jessica Henderson, Barrister, Francis Burt Chambers

CONTRACTS, TECHNOLOGY AND IP

Dealing with IP in Commercial Contracts

- When is there IP to consider: IP types, IP layers (underlying, background, project) & owners
- IP contracting fundamentals: Assignment, licensing, terms, territory, reversions, moral rights
- Issues around suitability of general commercial contracts for IP: Design commissions, using non-suitable commercial terms
- Industry-based expectations: Audio-visual, images, industrial and commercial applications

Presented by Michael Tucak, Principal, creative | legal

Developments in Technology and Contracts

An overview of smart contracts and blockchain and an update on these tools in the marketplace

Data and cyber liability and risk issues

A review of other emerging issues in this space

Presented by Lawrence Lee, Counsel, Ashurst

CONTRACT CONFLICT AND DISPUTES

Contractual Insolvency Risks and the New Ipso Facto Regime

- The broader context of the ipso facto reforms
- How the ipso facto regime works and the effect it has on contracting parties
- Other insolvency risks for contracting parties, such as the new anti phoenixing regime

Presented by Tom Darbyshire, Partner, Kott Gunning Lawyers

Contract Disputes and Arbitration Clauses

- Identifying and perfecting arbitration clauses
- Arbitral rights
- Arbitrate or litigate?

Presented by Jason MacLaurin, Barrister, Francis Burt Chambers

"I came away with very useful knowledge and positive presentations."

"Great, very useful seminar."



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FAMILY LAW FORUM: SURVIVING IN THE NEW AGE

TUESDAY, 12 MARCH 2019
9.00AM TO 1.15PM

\$490
193W08

The times they are a changin' in family law. From new developments in surrogacy to the ever increasing importance of social media in family law proceedings to ground changing shakeup of the very structure of the Family Court, it's never been more critical to stay on top of the latest changes. Fret not, as this collection of 5 considered topics from 6 leading experts will guide you through the tumult to the success that lies beyond.

Chair: **Lucy Thomas**, Director, Paterson and Dowding; Accredited Specialist in Family Law

Updates and Recent Developments: *The Surrogacy Act*

- Altruistic vs commercial surrogacy
- Surrogacy and adoption
- Who's the Mammy? Who's the Daddy?
- Presumptions of parentage
- Special considerations re parentage for same sex couples
- Surrogacy statistics

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

Parental Alienation and Child Protection

- How to advise and guide your client to the best resources
- How the courts might rule on parental alienation
- Divorce and separation through a child's eyes: how to protect them
- Useful tools for navigating the co-parenting issues
- Parenting plans, consent orders and parenting arrangements

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

Social Media and the Family Law: A Recipe for Disaster!

- What is out there that family lawyers and clients are not thinking about for potential disclosure or use in litigation?
- Disclosure: How much? How do you get it into disclosure?
- Unlawfully obtained evidence issues
- Fake news: Can social media be manipulated or tampered with?
- Is it really worth it? What weight should we put on what people say on social media or online?

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

Competency Area 2: Professional Skills

Access to Documents and Information in Family Law Proceedings

- Parenting proceedings: disclosure (rules and case law)
- Financial proceedings: disclosure (rules and case law)
- Companies, trusts, partnerships, deceased estates: how to obtain documents
- Limiting disclosure: privilege and relevance
- Third parties: disclosure and subpoenas
- Litigation tools: notices to produce, anton pillar orders

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

Competency Area 2: Professional Skills

Changes to the Structure of the Family Court: Reforms, Appeal Pathways and Where do we go from Here?

- An analysis of the changes following from the announced merger of the Family Court of Australia with the Federal Circuit Court
- Family Court 2.0?
- The Family Law Amendment (2018 Measures No. 1) Rules 2018?
- Do we really care? What it means for practitioners in Western Australia

Presented by **Fraser Robertson**, Barrister, John Toohey Chambers

CPD CORE COMPETENCY AREAS FOR FAMILY LAWYERS

TUESDAY, 12 MARCH 2019
2.00PM TO 5.15PM

\$490
193W09

We have laid out the key core competency areas you can focus on to square away your CPD points for the year while boosting your practice. Join a panel of specialists to give you the straight talk and skills to make you a more successful family lawyer in 2019 and beyond. From dispute resolution to employment issues your practice simply cannot ignore to the gifts and the curses of technology, don't miss this opportunity to fuel your practice's success in the year to come.

Chair: **Elizabeth Needham**, Barrister, Francis Burt Chambers

Competency Area 2: Professional Skills

How to Arbitrate or Mediate: a Practical Guide

- Requirement to consider alternate avenues of resolution of disputes
- The merits and misconceptions of arbitration and mediation
- Costs benefit analysis of litigation as against alternate dispute resolution options
- Step by step guide for arbitration including the arbitration agreement
- Mediation and practical considerations

Presented by **Kim Wilson SC**, In-house Counsel, Arbitrator & Mediator; Accredited Specialist in Family Law

Robyn Hadley, Consultant and Mediator; Accredited Specialist in Family Law
Adam Somerville-Brown, Consultant; Accredited Specialist in Family Law
Kim Wilson & Co Family Lawyers

Competency Area 1: Practice Management

Employee Engagement in the Family Legal Practice

- Who can you trust? Tips for choosing the right employees
- If lawyers are from Mars and administrative staff members are from Venus: How do you address the difference between the roles?
- Show me the money. Is this the best way to reward performance?
- Keeping the wheels spinning: Creating a vision for your firm that will keep your staff motivated and engaged
- Having difficult conversations and how to address poor performance
- Looking after the whole person
- Who's looking after the employer? The importance of self-preservation

Presented by **Lara Anstie**, Partner, Clairs Keeley Lawyers

Competency Area 3: Ethics & Professional Responsibility

The Ethical Dangers of Technology in Family Law

- What dangers lurk in social media
- Why LinkedIn may not be the innocent bystander
- Email insecurity
- Lost in the cloud

Presented by **Catherine Leach**, Managing Director, Leach Legal

4 ATTEND AND EARN

1.5 CPD points in Competency Area 2: Professional Skills
2.5 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management
1 CPD point in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility



BUILDING AND CONSTRUCTION UPDATE

9TH ANNUAL

TUESDAY, 12 MARCH 2019
9.00AM TO 1.15PM

\$490
193W10

In today's ever shifting and demanding construction industry it's critical to develop advanced legal, business and communication skills in order to effectively mitigate risk for your clients. Gain useful information on avoiding disputes, hone your dispute resolution skills, plus keep pace with key structural developments shaping the sector.

Chair: **Adrienne Parker**, Partner, Pinsent Masons; Leading Front End Construction & Infrastructure Lawyer, *Doyle's Guide* 2018; *Best Lawyers* 2019, Construction/Infrastructure Law and Litigation

Latest Cases and Trends in the Building and Construction Industry

In 2018 the construction industry continued its trend of producing plenty of disputes. Catch up on recent cases and revisit:

- The proper approach to valuing quantum meruit claims
- When a party might have recourse to the courts to appeal an arbitral award, set aside an award or resist an application to enforce an award

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

Indemnity Clauses and a Carve Out for Proportionate Liability

- The nuances of indemnities: getting them right
- Common mistakes and drafting tips
- When should indemnities be used?
- The interaction between indemnities and proportionate liability

Presented by **Will Coulthard**, Partner, Johnson Winter & Slattery; *Best Lawyers* 2019, Construction/Infrastructure Law and Litigation; Recommended Front End Construction & Infrastructure Lawyer, *Doyle's Guide* 2018

Delay and Disruption

- Examining the details and the practicalities of delay claims and disruption claims
- Assessing quantum of loss
- The global claim
- Hurdles for successful claims: time bars

Presented by **Tom Jacobs**, Partner, Projects, Infrastructure and Construction, Jackson McDonald; *Best Lawyers* 2019, Construction/Infrastructure Law; Recommended Construction & Infrastructure Litigation Lawyer, *Doyle's Guide* 2018

Construction Contracts: The Impact of Recent Insolvency Reforms and the PPSA

- The effect of the recent ipso facto reforms on construction contracts; practical steps
- Recent PPSA decisions with implications for companies in the construction industry that lease or bail goods and equipment
- Protecting 'step-in' rights in the event of contractor default

Presented by **Rebecca Collins**, Barrister, Quayside Chambers

Using Arbitration to Resolve Infrastructure and Construction Disputes

- What is it about construction and infrastructure disputes?
- Adapting arbitration to construction and infrastructure
- Efficient dispute resolution

Presented by **Scott Ellis**, Barrister, Arbitrator and Mediator, Francis Burt Chambers; Accredited Mediator

CPD CORE COMPETENCY AREAS FOR IN-HOUSE COUNSEL

TUESDAY, 12 MARCH 2019
2.00PM TO 5.15PM

\$490
193W11

In a perfect world you wouldn't have to worry about networking and self-promotion, perfecting your workplace investigation processes, or tiptoeing through ethical minefields. In that idyllic world you'd have a vast team and endless resources to take care of all that. But the reality is that in-house counsel are being asked to do more with less while keeping up with a rapidly evolving legal landscape. We can't give you that perfect world, but we can give you the information, strategies and tools you need to succeed in today's shifting in-house landscape.

Chair: **Ryan Hartfield**, Managing Counsel, PTTEP Australasia

Competency Area 1: Practice Management

Networking and Self-Promotion for In-House Lawyers

- How self-promotion and networking can make you more effective and successful in your role
 - Leveraging relationships so colleagues will buy into a particular course of action that you're advocating
 - Assisting and helping others to build a stronger working relationship so that they'll support you and your career
- Developing a marketing plan unique to you: identifying your goals, strengths and comfort zone
- Best ways to increase your profile inside (and outside) your organisation

Presented by **Catherine McNeilly**, Legal Project Manager, INPEX Australia and **Jeremy Watkins**, The Barefoot Leader, Leadership and Sustainable Performance Mentor, Speaker and Facilitator

Competency Area 2: Professional Skills

Practical Tips for Running an Effective Workplace Investigation

- Step by step guide to internal investigations
- When to investigate and who should conduct the investigation
- Preserving privilege
- Using technology to improve efficiency and results
- Disclosure and reporting considerations
- Common pitfalls in internal investigations

Presented by **Anna Liscia**, Principal, IRDI Legal

Competency Area 3: Ethics & Professional Responsibility

Champion, Guardian, Whistleblower, Lawyer: The Role of In-House Counsel in the Face of Corporate Wrongdoing

- Ethical and other duties of in-house counsel in the context of the #MeToo movement and other corporate wrongdoing
- Should in-house counsel be an ethical conscience for their employer?
- Internal versus external reporting considerations
- Mandatory reporting examples
 - Data breaches and privacy issues
 - Foreign bribery and related offenses
- Is it ever okay to 'turn a blind eye'?
- Creating an internal reporting structure and investigation considerations

Presented by **John Pease**, Group Director Corporate Governance, St John of God Health Care



For more high level in-house counsel content, see our In-House Counsel Summit on page 25

4 ATTEND AND EARN

4 CPD Points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management
1 CPD point in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility

PROPERTY LAW UPDATE: NEW LAW, NEW STRATEGIES

WEDNESDAY, 13 MARCH 2019 \$490
9.00AM TO 1.15PM 193W12

The changes are coming in fast and furious in Western Australia's property sector and if you don't stay up to date you will inevitably fall behind. We've packed in a collection of timely and information packed sessions exploring all the new legislation, new cases, new trends and practical skills you need to stay on the cutting edge of a fast moving market.

Chair: **Rebecca Lee**, Barrister, Francis Burt Chambers

Property Law Case Update: The Decisions You Need to Know for Your Practice

Analyse the latest cases in property law, why they're significant, how they'll impact your clients and your practice going forward, and what you need to know to stay on top of all the changes and developments.

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

Strata Law Update: Game Changing Reforms and the Latest Cases and Trends

- *Strata Titles Act* Reform update: where things stand, what's next, and what you need to know to prepare
- Analysis of the latest cases and developments and their impact on your practice

Presented by **Rachel Cosentino**, Barrister, Francis Burt Chambers

Planning, Property and Your Practice: Recent Developments

- Planning in bushfire prone areas and the implications for subdivision, development and building applications
- Strategic Planning for the Perth metropolitan area and conservation of native vegetation
- Coastal Planning, sea level rise and compensation

Presented by **Glen McLeod**, Principal, Glen McLeod Legal; Adjunct Professor, Murdoch University; Preeminent Planning & Environment Lawyer, *Doyle's Guide* 2018

The New Ipso Facto Regime and the Impact on Property Law

- The ipso facto insolvency reforms applying to new contracts and agreements
- Rights that may be affected, including the right to terminate, suspend performance and more
- Exemptions that are relevant to the property industry
- Impact on leases and a landlord's ability to terminate for an insolvency event: updating termination clauses in leases
- Reviewing property transaction contracts and making amendments to mitigate risk in the event of an insolvency or default

Presented by **Peter Beekink**, Partner, Lavan; Preeminent Property & Real Estate Lawyer, *Doyle's Guide* 2018; *Best Lawyers* 2019, Leasing Law & Real Property Law

CPD CORE COMPETENCY AREAS FOR PROPERTY LAWYERS

WEDNESDAY, 13 MARCH 2019 \$490
2.00PM TO 5.15PM 193W13

Your practice and your reputation are on the line with every property matter you work on, and any one of them can go from routine to disastrous with one misstep. Gain the latest information and essential strategies you need to avoid slipups and keep your practice on the right foot all while pinning down your core area CPD points for the year.

Chair: **Mark Borrello**, Managing Principal, LSV Borrello Lawyers; Recommended Property & Real Estate Lawyer, *Doyle's Guide* 2018

Competency Area 1: Practice Management

Property Valuation and Your Practice

- Property valuation standards and best practices
- The latest issues: insights for property lawyers and practitioners
- Understanding valuation reports, how they're created, what they say (and don't say), and their limitations
- How to best work with a valuer for optimal results in property matters

Presented by **John Martin**, Director, Australian Property Consultants

Competency Area 2: Professional Skills

Navigating the New GST Withholding Regime and Other Recent Tax Changes

- GST: the new GST withholding regime and increased conveyancing complexity
 - The purchaser's new role as a 'tax collector'
 - Understanding the new duties, notice and reporting requirements
 - Identifying 'potential residential land' and the implications
- Dealing with foreign resident capital gains tax withholding changes

Presented by **Michelle Maynard**, Partner, Carbon Accountants and Business Consultants

Competency Area 3: Ethics & Professional Responsibility

Ethical Issues in Property: Potential Disaster Lurking Beneath Every Matter

- Town planning, environmental and contaminated sites issues
- Misrepresentations and misleading conduct in real estate transactions
- Dealing with clients: costs, communication and disputes
- Acting for multiple parties: what's allowed, how you can resolve conflicts and the perils of failing to do so
- Dealing with practitioners: professionalism, communication and the impact of new technologies

Presented by **Tim Houweling**, Partner, Cornerstone Legal



CPD SAVER

Choose any 10 CPD Points per person for only \$960. Plus receive 10 free past conference papers.

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management
1 CPD point in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility



TRUST AND DEEDS PRACTICUM

WEDNESDAY, 13 MARCH 2019 \$490
9.00AM TO 1.15PM 193W14

Arm yourself with in-depth knowledge by working through the critical stages of trusts and the hot issues currently impacting the area. From drafting to variation to vesting to winding up, hone your skills and expertise in each one of these areas so that you'll be prepared to expertly handle your client's trusts from beginning to end no matter what issues or challenges may arise.

Chair: **Brendan Ashdown**, Barrister, John Toohey Chambers

Trust Structures and Asset Protection

- Business risk planning and creditor insulation
- Discretionary trusts drafting
- The Sham Trust and the viability of the asset protection trust
- Balancing act between tax planning and asset protection

Presented by **Tim Pepper**, Consultant, Robertson Hayles Lawyers

What's Attracting the Commissioner's Attention: The Hot Issues Facing Trustees and their Beneficiaries

Focus on the Commissioner's latest views in respect of the taxation of trusts, including:

- Reimbursement agreements
- Trust splitting
- Fixed trusts
- Distributions of capital gains to resident and non-resident beneficiaries

Presented by **Jonathan Ortner** and **Kaitilin Lowdon**, Senior Associates, Arnold Bloch Leibler

Trust Vesting and Winding Up: Problems, Risks and Solutions

- Legal requirements and risks
- Common complications with assets & liabilities
- Tax implications: UPEs, loans, Division 7A, commercial debt forgiveness, returns of capital, cancellations of units
- Transfer duty on in specie distributions
- The trustee's indemnity

Presented by **Antony Barrier**, Senior Associate, Munro Doig

Trust Variations and Resolutions for Corporate Trustees

- Keeping the trust deed updated: why and how
- Using resolutions and variations to steward assets and maintain control
- Irrevocable resolutions: uses and pitfalls
- Corporate trustees and testamentary trusts

Presented by **Morgan Solomon**, Director, Solomon Hollett Lawyers; Leading Wills & Estates Litigation Lawyer, *Doyle's Guide* 2018

CPD CORE COMPETENCY AREAS FOR ALL LAWYERS ON 13 MARCH

WEDNESDAY, 13 MARCH 2019 \$490
2.00PM TO 5.15PM 193W15

The legal industry is evolving. Artificial intelligence, robo-advice, blockchain technology – all are advancing further into the industry every day, impacting the way law is practised and creating entirely new ethical issues to consider. Cyber security is now a top concern for law firms in ways it never has been before. The question is, will you evolve and find success in this new era of real and inevitable change?

Chair: **Simon Owen**, Principal, Grangeleigh House

Competency Area 1: Practice Management

Cyber Security within Law Firms and Protecting Your Clients' Data

- How to hold and how to release data
- What you can do with data
- What happens if there is a breach?
- Examples of breach

Presented by **David Thompson**, Barrister, Fourth Floor Chambers

Competency Area 2: Professional Skills

A Lawyer in a Digital World: Leveraging Technology to Enhance Your Practice

- A background to blockchain: How does the technology actually work?
- Practising law in the future with blockchain and augmented reality technologies
- Appreciating the influence of technology on client expectations and lawyer's legal practice
- How can lawyers better position themselves for a new practice of law?

Presented by **Zahn Nel**, Director, CT Group

Competency Area 3: Ethics & Professional Responsibility

Ethics and Cyber Risk

- Overview of cyber risk: hacking, phishing, scamming, ransomware
- What ethical and professional obligations arise?
 - Diligent and competent
 - Confidentiality
 - Duty of care/standard of care
 - Payment of ransom?
- Law Council of Australia CyberPrecedent
- Review of some recent examples
- Safety Measures
- Notification requirements
- National Data Breach Scheme

Presented by **Cathryn Urquhart**, Professional Skills Trainer and Coach



GAIN ALL YOUR CPD CORE COMPETENCY AREAS IN ONE CONVENIENT AFTERNOON

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management
1 CPD point in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility

ADVANCED COMMERCIAL LITIGATION SUMMIT

9TH
ANNUAL

THURSDAY, 14 MARCH 2019
9.00AM TO 1.15PM

\$490
193W16

Consider some of the best litigators in the business and a few similarities will inevitably emerge. They're not only aware of the latest developments and trends, but they also understand the intricate details of each. They maintain a cutting edge practice by embracing technology. They stand out from a crowded field with their refined skill sets. Count yourself amongst the litigation elite by spending a day examining high level commercial litigation updates, strategies and techniques.

Chair: **Michael Lundberg**, Partner, Quinn Emanuel; Preeminent Commercial Litigation & Dispute Resolution Lawyer and Leading Arbitration Lawyer, *Doyle's Guide* 2018

Commercial Litigation Update: Key Developments and their Impact on Your Practice

- Discussion of the significant commercial litigation decisions in the High Court and WA Supreme Court in 2018
- Major developments in commercial litigation during 2018

Presented by **Jenni Hill**, Partner, Clifford Chance; *Best Lawyers* 2019, Litigation, Regulatory Practice; Leading Commercial Litigation & Dispute Resolution Lawyer, *Doyle's Guide* 2018

Insolvency Issues and the New Ipso Facto Clauses: The Wide Ranging Litigation Consequences

- The law relating to corporate trustees, external administration and ipso facto clauses
- Corporate trustees dealing with trust assets in an external administration
- Seeking orders to deal with trust assets
- Consequences of failing to identify relevant issues

Presented by **James Scovell**, Barrister, Francis Burt Chambers; Recommended Insolvency & Restructuring Junior Counsel, *Doyle's Guide* 2017

Proportionate Liability Update: The Latest You Need to Know

- The role of the 'old' statutory right to contribution from tortfeasors, having regard to the proportionate liability provisions of the *Civil Liability Act 2002* (WA)
- What a defendant can do if not all concurrent wrongdoers are joined to an action
- Separately represented plaintiffs and proportionate liability issues
- Whether claims in nuisance are apportionable claims
- Principles in assessing just apportionment
- Proportionate liability in the context of the corporations legislation
- 'Contracting out' of proportionate liability

Presented by **Richard Price**, Barrister, Francis Burt Chambers; Recommended Commercial Litigation & Dispute Resolution Junior Counsel, *Doyle's Guide* 2018

Directors, Officers and Commercial Litigation

- Mandatory data breach notification
- Directors and officers insurance: lessons from the Banking Royal Commission
- Litigation funding: Is it an option?

Presented by **Carolyn Moss**, Barrister, Francis Burt Chambers

What's at Stake? Recent Developments in the Law of Remedies

Explore the latest decisions and developments related to remedies and how they may impact your clients and your matters.

Presented by **Ben Gauntlett**, Barrister, Francis Burt Chambers

CPD CORE COMPETENCY AREAS FOR COMMERCIAL LITIGATORS

THURSDAY, 14 MARCH 2019
2.00PM TO 5.15PM

\$490
193W17

No matter how good a litigator is they can always be better. From staying on top of the many implications stemming from electronic lodgement at the courts, to sidestepping the pitfalls of implied waiver of privilege to becoming a positive problem solver in a dispute, this seminar tailor made for litigators, will assist you in making your practice that much stronger and more successful. Oh, and knocking out your CPD core areas while you elevate your practice isn't a bad deal either.

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

Competency Area 1: Practice Management

Legal Technology and Litigation: Tools to Maximise Efficiency and Results

- Technology assisted review
 - eFiling and eTrials
 - What you may be missing out on right now and what is on the horizon
- Presented by **Jonathan Prideaux**, Director, Forensic & Technology Services, Clayton Utz

Competency Area 2: Professional Skills

Effective Negotiation Strategies for Commercial Disputes

- Pre-negotiation strategies: persuading parties to negotiate, set goals and expectations, identify and explore motivation
- Effective bargaining: seeking common interest, uncovering assumptions, maximising interest, creating options, expanding issues and trading concessions
- Breaking the deadlock: strategies for avoiding deadlock
- Closing the deal: techniques for reaching closure

Presented by **Tom Offer**, Barrister, Francis Burt Chambers; Recommended Insurance & Personal Injury Junior Counsel, *Doyle's Guide* 2018

Competency Area 3: Ethics & Professional Responsibility

Implied Waiver of Privilege and Inadvertent Disclosure: Untangling Ethical Knots

Waiver of privilege is one of those topics that keeps practitioners up at night. But what should you actually be concerned about, and what can you do to minimise risks and correct problems?

- How an implied waiver of privilege can arise, discussed through practical examples of common and not-so-common cases
- Steps to put in place to avoid a potential waiver
- What to do if you discover you, or someone else, has waived privilege

Presented by **David Jenaway**, Partner, Allen & Overy; *Best Lawyers* 2019, Litigation

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management

1 CPD point in Competency Area 2: Professional Skills

1 CPD point in Competency Area 3: Ethics & Professional Responsibility



CRIMINAL LAW REVIEW

THURSDAY, 14 MARCH 2019 \$490
9.00AM TO 1.15PM 193W18

Join a panel of silks and leading barristers while you catch up on precisely what you need to know to keep your practice at the forefront of success. From persuasive argument to confiscation of assets, you'll leave equipped with the information and skills your clients will expect, and demand, of you.

Chair: **Andrew Robson**, Appeals Team Leader, Legal Aid WA

Persuasive Argument

- How to construct an argument: orally and in writing
- The art of the advocate

Presented by **Mark Trowell QC**, Albert Wolff Chambers

Confiscation of Assets

- Exploring key similarities and differences between Federal and State regimes
- Recent developments
 - The role of the CCC
 - Unexplained Wealth
 - The pursuit of innocent Cuckoo Smurfing victims

Presented by **Edward Greaves**, Barrister, Francis Burt Chambers

Critical Updates in Criminal Law

Presented by **Mara Barone SC**, Francis Burt Chambers

Recent Trends in Sentencing Appeals

Discussing a series of Court of Appeal decisions over the 6-12 months to identify any individual cases of particular interest and trends that have emerged in the cases generally.

Presented by **Paul Yovich SC**, Francis Burt Chambers

CPD CORE COMPETENCY AREAS FOR CRIMINAL LAWYERS

THURSDAY, 14 MARCH 2019 \$490
2.00PM TO 5.15PM 193W19

This intensive and in-depth program offers the perfect opportunity to update your knowledge and sharpen your skills so that you're prepared for any matter that comes your way in 2019, from small cases to big cases to everything in between. Elevate your practice all while gaining your CPD core competency points in focused sessions tailor made for lawyers working in criminal law and delivered by practitioners that understand the issues you deal with in your practice.

Chair: **Terry Dobson**, Director, Terry Dobson Legal

Competency Area 2: Professional Skills

Effectively and Efficiently Working with Independent Experts

- How to, when to and why engage an expert
- Managing evidence: strategies and pitfalls
- *Criminal Procedure Act* obligations
- *Evidence Act* obligations

Presented by **Helen Prince**, Barrister, Equus Chambers

Competency Area 1: Practice Management

Cash, Clients and Common-sense: Challenges for Criminal Lawyers in Practice

- Managing client expectations
- Technology, workflow and practice management
- Striving for work/life balance
- Money matters

Presented by **Rosie Myers**, Director/Lawyer, Geoghegan Myers Legal

Competency Area 3: Ethics & Professional Responsibility

Ethical issues in Criminal Law Practice

This session will cover key ethical considerations that can arise in practicing in criminal law.

Presented by **Frances Veltman**, Barrister, Sir Clifford Grant Chambers



CPD SAVER

Choose any 10 CPD Points per person for only \$960. Plus receive 10 free past conference papers.

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management

1 CPD point in Competency Area 2: Professional Skills

1 CPD point in Competency Area 3: Ethics & Professional Responsibility

RETAIL AND COMMERCIAL LEASING GUIDE

8TH
ANNUAL

WEDNESDAY, 20 MARCH 2019 \$490
9.00AM TO 1.15PM 193W20

There are countless issues that can arise between a tenant and a landlord. Any of them can quickly spiral into chaotic quagmires and contentious disputes that your clients will expect you to fix efficiently and effectively. Ready yourself for the turmoil your clients will heave upon you by examining expert drafting strategies, the current state of play in WA's property market, the interplay between leasing and conveyancing, and how to effectively manage disputes when they do arise.

Chair: **Laurence Iffla**, Partner, Iffla Wade; Leading Property & Real Estate Lawyer, *Doyle's Guide* 2018

📍 **Competency Area 2: Professional Skills**

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

- When heads of agreement are binding
- When to use an agreement to lease
- Negotiating for success
- Using special conditions to achieve flexible outcomes
- One view on drafting for the future

👤 Presented by **Mary Pringle**, Partner, Clayton Utz; Leading Property & Real Estate Lawyer, *Doyle's Guide* 2018; *Best Lawyers* 2019, Leasing Law & Real Property Law

📍 **Competency Area 1: Practice Management**

Analysis of Key Market Trends in Retail and Commercial Leasing

- Key market trends in retail and commercial leasing
- Developments in the CBD
- The changing landscape various markets
- A look at the office market

👤 Presented by **Jim Tsagalos**, Managing Director, Lease Equity Pty Ltd

The Intersection of Leasing and Conveyancing: Practical Tips for Complex Challenges

- The *Primewest* case and the risks in failing to register a lease
- The ramifications for landlords, tenants, buyers, sellers and financiers when a property transaction involves a retail or commercial lease
- Failing to register and the impact on the enforceability of the lease from both the landlord and the tenant perspective
- Bank guarantees and security bonds: When should you deal with them?
- Additional issues to consider and what you need to advise landlords or tenants in these situations

👤 Presented by **Jolene Ashworth**, Legal Practitioner Director, Philipoff Legal

Breaches, Damages and Compensation: Legislation, Strategies, Practice and Procedure

- Breaches and entitlement to damages at common law and under legislation
 - Calculating and assessing damages
 - Liquidated damages
 - Claiming against bank guarantees/bonds
- Practice and procedure for claiming damages

👤 Presented by **David Jones**, Barrister, Francis Burt Chambers

DUTIES ACT REVIEW

WEDNESDAY, 20 MARCH 2019 \$490
2.00PM TO 5.15PM 193W21

Any mistake when dealing with *Duties Act* issues can be costly – for your client's finances and for you professionally. Conversely, utilising the best strategies makes you efficient, effective and can save money for satisfied clients. The past 12 months has seen significant developments across the field, including new provisions, so to avoid potential mistakes and make sure you're working at the highest level, stay up to date on the latest practice, procedure and strategies.

Chair: **Daniel Romano**, Principal and Special Counsel, Zafra Legal

📍 **Competency Area 2: Professional Skills**

Foreign Purchases Surcharge

An overview of the Foreign Purchaser Surcharge provisions of the *Duties Act 2008* (WA) that apply in WA from 1 January 2019

- What is 'foreign purchaser duty' for WA duty purposes?
- How it applies
- Key concepts and definitions
- A comparison with other Australian jurisdictions

👤 Presented by **Stuart Leonard**, Director, Swan Legal

📍 **Competency Area 2: Professional Skills**

Landholder Duty: a Practical Compliance Guide

- An overview of landholder duty in Western Australia
- Landholder duty tips and traps, including detailed case studies

👤 Presented by **Johanne Thomas**, Managing Associate and **Louise Tilt**, Associate, Deloitte Legal

📍 **Competency Area 2: Professional Skills**

Duty Valuations and How to Manage the Process with the WA Office of State Revenue

- An insider's update on the High Court decision in *Commissioner of State Revenue v Placer Dome Inc* and its implications
- Duty valuations and how to manage the process with the WA Office of State Revenue
- Assessments issued by the WA Office of State Revenue and how they can be settled without appeal

👤 Presented by **John Maher**, Senior Manager and **Jesslyn Rosair**, Senior Manager, EY

📍 **Competency Area 4: Substantive Law**

WA Transfer Duty: Trusts, Partnerships and Superannuation Funds

An open and practical discussion, on duty, exemptions, alternatives and traps including case studies and examples. Covering topics such as moving dutiable property from or to:

- Unit trusts
- Discretionary trusts
- Partnerships
- Superannuation funds
- Companies
- Trustees

👤 Presented by **Shaun Garlick**, Principal, Shaun Garlick & Co

4 ATTEND AND EARN

- 1 CPD point in Competency Area 1: Practice Management
- 1 CPD point in Competency Area 2: Professional Skills
- 2 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

- 1.5 CPD points in Competency Area 2: Professional Skills
- 1.5 CPD points in Competency Area 4: Substantive Law



CONTRACT LAW ESSENTIALS: AVOIDING RISK

WEDNESDAY, 20 MARCH 2019 \$490
9.00PM TO 1.15PM 193W22

Contract expertise is crucial in almost any commercial matter or transaction. Lawyers new to the commercial space or those who would like a refresher should attend this practical seminar to gain a mastery of some of the most important issues in contract law. Perfect your practice, procedure and skills at every key step along the way. From preliminary heads of agreement to contract variations to disputes, you'll emerge from this hands-on seminar with the knowledge and strategies to minimise contractual risk throughout the contracting process.

Chair: **Anthony Willinge**, Barrister, Francis Burt Chambers

Heads of Agreement and Pre-Contractual Representations: Problems and Practical issues

- Why use preliminary agreements
- Problems and issues that may arise if the parties' intentions are not made clear
- When is a preliminary agreement binding
- Drafting a preliminary agreement

Presented by **Katja J Levy**, Barrister, Rossello Chambers and **Richard Douglas**, Barrister, Francis Burt Chambers

Competency Area 2: Professional Skills

Drafting Contracts: Avoiding Mistakes and Minimising Risk

- Drafting contracts in plain English
- Drafting effective contracts
- Understanding conditions and conditional clauses
- Drafting conditional provisions

Presented by **Kelvin Tang**, Principal Lawyer, Tang Law

Rectification and Variation of Contracts

Essential principles and common makes made when seeking the rectification or variation of contracts including:

- The consistency of claims for both rectification and variation of a contract
- The applicability of the parol evidence rule
- Retrospectivity
- The need for consideration

Presented by **Leo Tsaknis**, Barrister, Francis Burt Chambers

Dispute Resolution Clauses

- Do you need a dispute resolution clause at all?
- Tiered/escalated resolution or only final?
- Mandatory or not?
- Choosing the most appropriate (A)DR process
- Common errors and how to avoid them

Presented by **Peter Ward**, Barrister, Francis Burt Chambers

CPD CORE COMPETENCY AREAS FOR GOVERNMENT LAWYERS

WEDNESDAY, 20 MARCH 2019 \$490
2.00PM TO 5.15PM 193W23

With additional duties and requirements on lawyers in the public sector, it is more important than ever to ensure you meet your annual CPD requirements in ethics, professional skills and practice management. Gain real world advice on how to master the procurement process, expertly manage workplace investigations, and navigate tricky ethical issues that threaten to derail your practice. Take a deep dive into each of these critical topics in tailor-made sessions designed especially for government lawyers.

Chair: **Peter MacIver**, Director Perth Office, Australian Government Solicitor

Competency Area 2: Professional Skills

Minimising the Legal Risks in Tendering and Procurement: Perfecting the Process

This presentation aims to give attendees a greater understanding of the legal issues that arise from running and participating in a tender process while providing practical insights into the legal risks faced by both principals and contractors and how to effectively deal with them when engaging in procurement.

- How to minimise risks in the tender process
- Navigating the 'process contract' procedures
- Practical tips to minimise the legal risks arising from a tender process
- The top 10 procurement risks and how to deal with them
- How to minimise commercial, legal and financial exposure to your organisation
- Practical tips for moving from tender phase to contract execution and beyond

Presented by **Alyson Eather**, Partner, DLA Piper

Competency Area 1: Practice Management

Managing and Conducting Workplace Investigations in Government Departments

- Types of investigations
- Legal form and process issues
- Managing the investigation: internal and external considerations
- Managing Investigation outcomes: dealing with the fallout internally
- Closing out an investigation and next steps for your department

Presented by **Shane Enriken**, Partner, Allion Partners

Competency Area 3: Ethics & Professional Responsibility

Ethical Issues for Government Lawyers

- Equitable briefing
- Model litigation
- Who is the client
- Understanding core work guidelines

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

4 ATTEND AND EARN

1 CPD point in Competency Area 2: Professional Skills
3 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management
1 CPD point in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility

WORKERS COMPENSATION ROUNDUP

THURSDAY, 21 MARCH 2019 \$490
9.00AM TO 1.15PM 193W24

You wanted a timely and practical workers compensation roundup to finish the CPD year and we've delivered. Hear about the latest cases and legislative update, review the intricacies of criminal injuries compensation for work-related injuries, get medical perspective insights from Dr Alan Home, renowned occupational physician and understand the complexity of bringing appeals to the District Court.

Chair: **John-Paul Wilson**, Principal, Gilchrist Connell; co-author, Workers Compensation – Western Australia chapter of *Halsburys Laws of Australia*; Preeminent Workers Compensation Lawyer and Recommended Dust Diseases Lawyer, *Doyle's Guide 2018*

Workers Compensation Case and Legislation Update

Analyse the most important workers compensation and WorkCover decisions and developments in the area and how they will impact your practice.

Presented by **Neil Morrissey**, Barrister, Albert Wolff Chambers; Preeminent Insurance & Personal Injury Junior Counsel, *Doyle's Guide 2018*

Criminal Injuries Compensation for Work-Related Injuries

- Why make a claim for criminal injuries compensation for work related injuries?
- Gathering the material/information required
- When to make a claim
- The effects of the decisions of the Baker and Cooper
- What the Assessors will do
- How the claims are assessed

Presented by **Dr Rob Guthrie**, Assessor/ Magistrate-Criminal Injuries Compensation, Department of Attorney General WA

Competency Area 2: Professional Skills

THE MEDICAL PERSPECTIVE

Advanced Topics in Impairment Assessment

- Errors in assessments: an update
- Disputed cases
- Reviewing your AMS assessments

Presented by **Dr Alan Home**, Occupational Physician, Health People Legal

Competency Area 2: Professional Skills

Workers Compensation Appeals to the District Court

Discuss the practical and legal issues in bringing Workers Compensation Appeals to the District Court.

Presented by **John Fiocco**, Barrister, Fourth Floor Chambers

"Excellent...
very informative"

"Very
impressive seminar"

DEALING WITH PSYCHIATRIC STRESS CLAIMS

THURSDAY, 21 MARCH 2019 \$490
2.00PM TO 5.15PM 193W25

Work-related stress and mental health-related complaints in the workforce are becoming more and more common, and in some states exceed other forms of injury in the workplace. This seminar brings together four renowned experts in this area to discuss relevant issues including providing an understanding of how the medical experts assess and challenges in providing diagnosis and prognosis, exploring the issues behind the pre-arbitration conference and providing valuable tips when conducting the atypical stress claim. Be a part of this useful and interesting exploration of the issues relating to this growing area.

Chair: **Nakkie Le Roux**, Senior Associate, Tindall Gask Bentley Lawyers

Competency Area 2: Professional Skills

A PSYCHIATRIST'S INSIGHTS

Reducing Discrepancies in Psychiatric Diagnosis and Prognosis for Workplace Injury

- What's covered in a comprehensive psychiatric evaluation
- The challenges that may affect reliability and validity
- Example of part of an interview done live
- How legal practitioner's questions affect the process

Presented by **Dr Tony Mander**, Consultant Psychiatrist

Competency Area 2: Professional Skills

Pre-Arbitration Conferences: Understanding What the Arbitrator is Looking for When Dealing with Stress Claims

- What are the issues?
- What should practitioners look out for?

Presented by **Marco Tedeski**, Barrister, John Toohey Chambers

Competency Area 2: Professional Skills

How to Conduct a Stress Claim: Practical Tips and Traps

- Understanding the essential principles of a stress claim
- How to advance a case: what to look for, including getting the best settlement
- How to best litigate a stress claim: winning through

Presented by **Martin Dobson**, Partner, Moray & Agnew; Recommended Workers Compensation Lawyer, *Doyle's Guide 2018*

4 ATTEND AND EARN

2 CPD points in Competency Area 2: Professional Skills
2 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

3 CPD points in Competency Area 2: Professional Skills



ADMINISTRATIVE LAW: MIGRATION AND ITS IMPACT

THURSDAY, 21 MARCH 2019 \$490
9.00AM TO 1.15PM 193W26

Migration decisions have been at the forefront of driving change to Australian laws. Take this opportunity to delve into the current state of play in migration law and how it has impacted administrative law in the past, present and future.

Chair: **Stephen Owen-Conway QC**, Sir Laurence Jackson Chambers

Judicial Review of Migration Decisions

An analysis of a selection of migration cases decided during the last 12 months.

Presented by **David Blades**, Barrister, Perth Chambers

Reasonableness and Proportionality in the Federal Court

- Reasonable or rationality?
- Proportionality: a tool of analysis
- Reasonableness and proportionality and the fast track decisions

Presented by **Robert Lindsay**, Barrister, Sir Clifford Grant Chambers

Fast Track Decision Making by the Immigration Assessment Authority: The State of Play

- Background to its establishment and the legislative scheme: an introduction
- The IAA before the courts: a case law review
- Current issues, emerging trends and future prospects: an assessment

Presented by **Mary Anne Kenny**, Associate Professor – School of Law, Murdoch University

Representing Clients in the Fast Track Process: A Practical Guide

A new legislative scheme requires a new approach. Explore how you can adopt new strategies to better represent fast track applicants before the Department of Home Affairs and before the Immigration Assessment Authority.

Presented by **Reuben Saul**, Partner, Estrin Saul Lawyers and Migration Specialists

DECISION MAKING AND REASON WRITING

THURSDAY, 21 MARCH 2019 \$490
2.00PM TO 5.15PM 193W27

Understand how to make decisions in specialised courts, the dangers of remaking decisions, and how to write clear reasons for making those decisions to avoid future challenges. Take theory into practise by attending this practical seminar filled with real world lessons and examples.

Chair: **Adam Sharpe**, Barrister, Francis Burt Chambers; Recommended Employment & WHS Junior Counsel, *Doyle's Guide* 2018

The Consequences of *Bhardwaj*: Can You Remake an Invalid Decision?

- How to deal with invalid decisions: a summary of relevant authorities and practical suggestions to deal with invalid decisions
- Are secondary decisions consequently invalid?
- Case study examples

Presented by **Marina Georgiou**, Barrister, Francis Burt Chambers; Recommended Planning & Environment Junior Counsel, *Doyle's Guide* 2018

Decision Making in Specialised Courts

The effectiveness of decision making in specialist court: Is there a compromise to generalist knowledge?

Presented by **Michael Rynne**, Barrister, John Toohey Chambers

Making Better Decisions and Improving Written Reasons

- The foundations of a sound decision: legal defensibility
- Requirement for and adequacy of reasons
- Reasons and reasoning: issue identification, evidence, facts and findings
- Role of policy
- Practical steps and techniques in drafting good written decisions including planning, content, structure and style

Presented by **Brenda Robbins**, Barrister, Sir Clifford Grant Chambers

"Good, professional,
informative"

MIGRATION AGENTS CAN EARN 2 CPD POINTS
MARA APPROVAL NUMBER: SM365

"Very good experience, very
good topics and presenters"

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

3 CPD points in Competency Area 4: Substantive Law

DIRECTORS AND OFFICERS: DUTIES, RISK AND LIABILITIES

FRIDAY, 22 MARCH 2019

\$490

9.00AM TO 1.15PM

193W28

The many risks directors and officers need to manage seems to increase with each passing year as the consequences for failure grow ever more dire. Ensure you or your clients remain in the good graces of the Board and protect your clients, your organisation or yourself by keeping up to date on the latest obligations related to work health and safety, professional liability, insurance and more.

Chair: **Greg Mohen**, Partner, Kott Gunning Lawyers

Director Duties: Asleep at the Wheel or Corporate Psychopath?

A legal, psychological and personal commentary on corporate governance risk including:

- Director duties under the *Corporations Act*
- The sleeping giant of self-interest
- Waking to a world of consequence

Presented by **Carl Huxtable**, Partner, Hall Chadwick

Boardroom Blitz: Understanding Personal and Corporate Work Health and Safety Duty, Obligation, Risk and Liability

- Key duties and obligations imposed on directors and officers under work health and safety laws, and particularly the *Occupational Safety and Health Act 1984* (WA)
- The extent of director and officer risk and liability for work health and safety, and examining the interplay of specific roles and relationships in the workplace including employer-employee, principal-contractor and body corporate-management
- Fair Work risk and liability, being director and officer risk and liability under the *Fair Work Act 2009* (Cth) an outline of some broad areas of risk, whether specifically relating to work health and safety matters or otherwise, and includes commensal liability
- What is safety 'due diligence'? What is the appropriate due diligence to manage Fair Work risk and liability? Some best practice tips to minimise personal and corporate risk

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

Current Issues in Professional Liability: An Update on Significant Cases and Developments

- What is a professional?
- The professional standards schemes and limitations of liability
- The fallout from the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

Presented by **Justine Siavelis**, Principal, Gilchrist Connell

Early Settlement of Disputes

A discussion about the options available to directors and officers to settle disputes at an early stage, with a particular focus on mediation techniques and strategies.

Presented by **Steven Standing**, Barrister and Accredited Mediator, Fourth Floor Chambers

CORPORATIONS ROUNDUP: FRAUD, CARTELS AND BRIBERY

FRIDAY, 22 MARCH 2019

\$490

2.00PM TO 5.15PM

193W29

In light of increased regulatory activity and heightened risks for corporations throughout Australia, there has never been a more critical time to get up to speed on key issues affecting corporations today. Examine the lessons from recent large scale frauds so that your client or your organisation isn't the next one in the headlines for all the wrong reasons. Gain a crucial competition law update on the many changes sweeping through the area. Explore the latest developments in bribery and corruption that you need to have on your radar to minimise risk and avoid peril.

Chair: **Ken Robson**, Barrister, Mosman Park Chambers

Large Scale Fraud: Recent Examples and the Practical Takeaways

- Review of several recent large scale frauds
- What are the similarities?
- How did the fraudsters get away with it for as long as they did?
- What brought the frauds to an end?
- Consideration of high risk areas for future large scale frauds
- What to do if a client is a victim of a large scale fraud

Presented by **Stephen Penrose**, Partner, Tottle Partners

Australian Competition Overview

- The *Competition and Consumer Act 2010*
- Cartel conduct
- Arrangements or concerted practices substantially lessening competition
- Misuse of market power
- Exclusive dealing and third line forcing
- Resale price maintenance
- Authorisations and notifications
- Mergers and acquisitions that substantially lessen competition
- Representations and promises in commercial contracts: Can these amount to misleading or deceptive conduct?

Presented by **Maha Chaar**, Special Counsel, Norton Rose Fulbright

Corporate Crime and Compliance: Bribery, and Corruption in the Spotlight

- Updates on ABC laws in Australia
 - DPA scheme
 - Combatting Corporate Crime Bill and the crime of 'failure to prevent bribery'
 - Changes to whistleblowing laws in Australia
- Update on laws in UK: What impact in Australia?
 - Adequate procedures and self reporting s7 defence
 - *Skansen Interiors* case
- Issues for directors and officers: What questions should you be asking?
 - Compliance programs
 - Risk mapping and assessment
 - Policies and procedures
- Case study

Presented by **Jehan-Philippe Wood**, Partner, Norton Rose Fulbright

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

3 CPD points in Competency Area 4: Substantive Law



EVIDENCE AND ADVOCACY

FRIDAY, 22 MARCH 2019
9.00AM TO 1.15PM

\$490
193W30

Effective evidence provides the foundation to a solid case. Skilled advocacy provides the tools to build that foundation into a winning case. Without either, everything will crumble. This seminar focuses on high level evidence admissibility issues while offering valuable insights on the ethics art of oral and written advocacy so you'll have the tools for success in any matter.

Chair: **Chris Shanahan SC**, Murray Chambers; Recommended Wills & Estates Litigation Barrister, *Doyle's Guide 2017*

Preparation of Lay Witness and Supporting Evidence

- Relevance
- Admissibility
- Ethical Issues
- Practical Issues

Presented by **Elsbeth Hensler**, Barrister, Francis Burt Chambers; Recommended Commercial Litigation & Dispute Resolution Junior Counsel, *Doyle's Guide 2018*

Admissible and Persuasive Expert Evidence: Practical Guidance

- Choice of expert
- The letter of instruction
- The basis rule
- Taking statements from expert witnesses
- Expert witness conferral, joint statements and calling experts to give evidence concurrently

Presented by **Fiona Stanton**, Barrister, Francis Burt Chambers

Expert Evidence: Are Your Instructions to the Expert Doing More Harm than Good?

- Understanding the role of the expert in court, arbitration and expert determination
- Understanding how much you need to know before you formally instruct your expert: A case for one expert or two?
- Understanding why instructions to experts are crucial to the veracity of their reports

Presented by **Dirk Feinauer**, Principal, Feinauer Law

The Art of Storytelling in Persuasive Advocacy

- Where do I begin? Marshall your material
- What story do I need to tell? Identify the issues
- How do I make it interesting? Bring the facts to life
- How do I make it credible? Give your story legal rigour
- How do I convince the Bench? Be true to your tale

Presented by **Tom Percy QC**, Albert Wolff Chambers

Advocacy on Interlocutory and Urgent Applications

- Identifying the type of application to be made (urgent injunction? search order? freezing order?)
- Get to the point: What is your client's cause of action? Why is there a serious question to be tried? Why is the balance of convenience in your client's favour?
- Consider and prepare for likely questions from the bench
- Consider and prepare for likely submissions from respondent (if not ex parte)
- Appearing for the respondent
- Ethical considerations

Presented by **Adjunct Professor Greg McIntyre SC**, John Toohy Chambers

MEDICAL NEGLIGENCE: UPDATES, PRACTICE AND PROCEDURE

FRIDAY, 22 MARCH 2019
2.00PM TO 5.15PM

\$490
193W31

Join 4 leading medical negligence practitioners for 3 timely, efficient and information-packed sessions that will keep you up to date on the latest medical negligence cases, the most useful strategies for your matters, and the hottest developments in increasingly important areas such as delay and misdiagnosis. Being across all these areas isn't just advantageous for a successful practice, it's absolutely necessary.

Chair: **Gemma McGrath**, Director, Panetta McGrath Lawyers; Leading Medical Negligence & Malpractice Lawyer, *Doyle's Guide 2016*

Catching Up: General Round Up of Medical Negligence Cases

Bring yourself up to date on the key cases from the past year that will have a significant impact on your practice while gaining practical insights and analysis of the key issues you must know to stay on top of medical negligence issues.

Presented by **Phil Gleeson**, Partner, Maurice Blackburn; Leading Medical Negligence Compensation Lawyer; Work Injury Compensation Lawyer and Public Liability Compensation Lawyer and Recommended Motor Vehicle Accident and Dust Diseases Compensation Lawyer, *Doyle's Guide 2018*

Delay in Diagnosis Claims

- Cancer cases: case investigation, key authorities and damages assessment approach
- Post-operative complication cases: causation and damages

Presented by **Julian Johnson**, Principal, Julian Johnson Lawyers; Leading Medical Negligence Compensation Lawyer *Doyle's Guide 2018*

Current Controversies in Medical Practice: Euthanasia, Female Genital Cosmetic Surgery, Transgender Health and Conscientious Objection

Address a selection of topical ethical issues in contemporary medicine and consider the legal implications for the medical profession.

Presented by **Karina Hafford**, Practice Group Leader, Slater & Gordon; Leading Medical Negligence Compensation Lawyer and Recommended Public Liability Compensation Lawyer, *Doyle's Guide 2018*

"Relevant to my area of practice"

"Good, well organised"

4 ATTEND AND EARN

4 CPD points in Competency Area 2: Professional Skills

3 ATTEND AND EARN

3 CPD points in Competency Area 4: Substantive Law

BUSINESS SALES LEGAL ISSUES: NEGOTIATING AND DOCUMENTING

TUESDAY, 26 MARCH 2019
9.00AM TO 4.00PM

\$870
193W32

Risk and business sale transactions go hand in hand, but it's up to you to influence how much risk is in play in any given matter. To keep risk low for your clients and your practice you must have a firm grip on the due diligence practices that can prevent a deal from going belly up and a client relationship from going sour. You must be an unassailable expert in IP, employment and franchising issues. Master each of these areas and more with a cavalcade of practical sessions aimed at giving you the tools to turn your business sale transactions into rousing successes that leave your clients returning to you again and again.

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

Chair: **Andrew Crean**, Partner, Mills Oakley Lawyers

Employees and Business Sales

- Identifying the risks early: what to look for in due diligence
- Planning for the transfer
- Securing key employees: the new contracts
- Negotiating the sale agreement
- At the point of completion
- Restraint of trade?

Presented by **Leanne Nickels**, Partner, DLA Piper; *Best Lawyers* 2019, Labour and Employment Law; Recommended Employment Lawyer (Employer Representation), *Doyle's Guide* 2017

IP Considerations for a Sale and Purchase of a Business

- IP audits and due diligence: IP registers searches, registered and unregistered rights
- How to manage any IP issues that are critical to the deal
- Resolving IP ownership finalising a sale agreement
- Negotiating a value for IP assets
- What to include in the sale agreement's IP clause and settlement considerations

Presented by **Richard Baddeley**, Principal, Patent & Trade Marks Attorney, Watermark

Buying and Selling a Franchise Business: A Checklist for Success

- The process of buying and selling a franchise: key points and differences
- Franchise documents: key clauses and issues
- Common franchise sale disputes and how to avoid

Presented by **Tamra Seaton**, Director, MDS Legal PTY Limited; *Best Lawyers* 2019, Competition Law and Franchise Law

Professional Skill

Valuation of a Business: What you Need to Know Before Buying or Selling a Business

- What is a business worth?
- The valuation process and approaches
- Specific valuation issues in the sale process

Presented by **Nadine Marke**, Director, Corporate Finance, RSM Australia

Tax and Transfer Duty Issues when Planning to Sell a Business

- Tax and transfer duty issues to consider when structuring business sale agreements and share sale agreements
 - From the buyer's perspective
 - From the seller's perspective
- Small business tax concessions
- Setting up a business for a tax effective sale in the future

Presented by **Damian Quail**, Principal, Williams + Hughes

Business Sales & Managing Risk: Warranties, Reps, Indemnities and Insurance

- Warranties and reps: identifying key areas and what you can 'give'
- Misleading and deceptive conduct: no ability to exclude statutory liability
- Indemnities: General, specific or both?
- Disclosures and key qualifications
- Thresholds, excess and liability caps: some considerations
- Consequential loss?
- Impact of warranty and indemnity insurance

Presented by **Stephanie Rowland**, Partner, Mills Oakley Lawyers



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6 ATTEND AND EARN

1 CPD point in Competency Area 2: Professional Skills
5 CPD points in Competency Area 4: Substantive Law



MINING AND RESOURCES: NEW LAW, NEW CASES

TUESDAY, 26 MARCH 2019
9.00AM TO 1.15PM

\$490
193W33

Being across the usual lay of the land in mining and resources simply isn't enough. With significant new legislation, it's critical that you stay up to date on the latest developments and how to leverage them into success. Attend this roundtable to learn what you need to know about critical new legislation and significant recent cases.

Chair: **Stephen Wright SC**, Francis Burt Chambers

NEW LAW

Mining Titles Validation Bill: After *Forrest and Forrest v Wilson*

- Key issues in *Forrest & Forrest v Wilson* and why the decision created uncertainty
- Broader implications for tenement applications and security of tenure in WA
- How the Validation Bill might operate as a 'legislative fix' to the uncertainty created by the decision
- Analysis of the proposed changes to section 116 of the *Mining Act*, and a discussion of whether it will reaffirm the Minister's power to grant mining tenement applications even if non-compliant
- A consideration of the native title issues the proposed amendments may trigger and need for complementary Commonwealth legislation to be enacted

Presented by **James Hunt**, Partner, Hopgood Ganim

New Health and Safety Obligations for Officers and Directors of Mining and Exploration Companies

- New WHS laws will cover all workplaces in Western Australia, including mines, in one Act
- Increased responsibilities on boards and senior management
- Increased powers for workplace representatives and the safety inspectorate

Presented by **Nick Ellery**, Partner, Corrs Chambers Westgarth

NEW CASES

Recent Developments in Judicial Review of Administrative Decisions in the Resources Sector

- Review of recent High Court decisions regarding administrative law and judicial review of decisions under the *Mining Act*
- Survey of recent Supreme Court decisions outlining key aspects of grant and forfeiture of mining tenements

Presented by **Mark Gerus**, Barrister, Francis Burt Chambers

Compensation under the *Native Title Act*

A discussion of the relevance to the mining industry of *Northern Territory v Griffiths D1/2018*, the first Native Title compensation case heard in the High Court which was also the first High Court case heard in Darwin.

Presented by **Justin Edwards**, Barrister, Francis Burt Chambers

MINING AND RESOURCES: WHERE THE COMMERCIAL AND LEGAL ISSUES MEET

TUESDAY, 26 MARCH 2019
2.00PM TO 5.15PM

\$490
193W34

With Western Australia well positioned to meet the growing global demand for vital mining and resource commodities, it's important that you're across the latest commercial and legal issues developing along with the mining sector. By attending this seminar you will deepen your understanding of the commercial and regulatory environment while honing your knowledge and skills in the area.

Chair: **Mark Gerus**, Barrister, Francis Burt Chambers

Trends in Foreign Investment Regulation: Pinch Points for Foreign Investors

While the vast majority of all FIRB applications receive approval, Australia's foreign investment regime continues to present challenges for many foreign investors that are unfamiliar with the process. Identify those areas of Australia's foreign investment regime presenting potential difficulties and challenges for foreign investors.

- Wider net and broader consultation process under the new FIRB regime introduced in 2015
- More pro-active role that Government agencies are taking in enforcing Australia's laws (particularly in relation to taxation) and the implications for the FIRB approval process
- Particular types of investments, and investors, that are likely to be more carefully scrutinised by FIRB, including investments that present cyber security or privacy challenges, investment in agricultural land, critical infrastructure assets and foreign government investors

Presented by **Adam Handley**, Partner and **Bryn Davis**, Partner, MinterEllison

Mining through an Insolvency Lens

- Typical issues encountered in a mining project following the onset of an insolvency process, including the impact on boards, contracts, securities, set-off, employee payments
- Options available to preserve value and the future of the insolvent entity
- Practical guidance on some key recent matters such as *Hammersley v Forge* and *Arrium*

Presented by **Alistair Fleming**, Partner Clayton Utz; Chair, Turnaround Management Association Western Australian Committee; Lecturer, University of Western Australia Business School MBA Program; Lead Advisor on *Hammersley v Forge* and *Arrium*

Sites Available for Exploration and Mining

- Native title
- Environment approvals
- Compulsory acquisition
- Access to pastoral leases for mining exploration

Presented by **Hayley McNamara**, Principal and **Claire McGowan**, Senior Lawyer, Mining Access Legal

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

3 CPD points in Competency Area 4: Substantive Law

COMMERCIALISING IP: MAXIMISING VALUE

SEE
P.26
for more
IP-focused
content

WEDNESDAY, 27 MARCH 2019 \$490
9.00AM TO 1.15PM 193W35

Updated laws and regulations periodically transform protection strategies for intellectual property rights, as do ever evolving market conditions and trends related to IP. Ensure you're ahead of the curve with 5 in-depth sessions that will give you the cutting edge strategies necessary to protect, leverage and commercialise your client or your organisation's IP. Plus, gain your ethics point for the year by examining critical ethical issues involving IP from your client's perspective.

Chair: **Stephanie Rowland**, Partner, Mills Oakley Lawyers

In-Depth Guide for Practitioners to IP Commercialisation

- From commencement of the business to IP Commercialisation, how to reduce the heart ache
- Mechanisms to identify when an invention is made and by whom
- Mechanisms to be implemented to ensure seamless transfer of title to the IP to the commercialising entity
- Documents that should be retained by businesses and why

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

The Anechoic Chamber: A Brief Look at the Utility of Trade Secrets

- Absorbing the whispers: trade secrets in Australia, the US and the EU
- Trade secrets and employees/ contractors: *Ancient Order of Foresters in Victoria v Lifeplan Australia*
- Trade secret protocols and technological considerations in trade secret protection: *Actrol Parts Pty Ltd v Coppi*
- When a trade secret can be an alternative to a patent

Presented by **David Stewart**, Principal, Bennett + Co

Maximising the Value of Your Client's Business through a Strong IP Protection Strategy

- Using IP to increase profit
- Maximising share price by leveraging IP
- Strategies to maximize return as an exit strategy

Presented by **Barry Newman**, Principal, Armour IP

IP Due Diligence: Maximising Value for Sellers and Risk Management for Buyers

- Identifying assets
- Processes to capture IP assets
- Verifying ownership, chain of title and scope of protection
- A checklist
- Risks of getting it wrong

Presented by **Madeleen Rousseau**, Special Counsel, Williams + Hughes

Competency Area 3: Ethics & Professional Responsibility

Understanding the Ethical Obligations of IP Practitioners: A Client Perspective

- IP Practitioners: types, roles and responsibilities
- The *Code of Conduct for Trans-Tasman Patent and Trade Marks Attorneys 2018* and its role in the formation and maintenance of the client relationship
- Conflicts of interest in the IP space
- Taking IP international: does this change the ethical landscape?

Presented by **Richard Plummer**, Principal, Elliptic Legal & Patent Services

CPD CORE COMPETENCY AREAS FOR ALL LAWYERS ON 27 MARCH

WEDNESDAY, 27 MARCH 2019 \$490
2.00PM TO 5.15PM 193W36

If you were to create a successful, well rounded lawyer, what ingredients would you include? A healthy work/life balance and efficient organisational skills? A strong understanding of ethics and ethical culture? The ability to think creatively and generate new ideas? We've mixed all of those elements into this one seminar. Come and see what we've cooked up, improve your practice, and gain your compulsory CPD units all in one afternoon.

Chair: **Janette Tavelli**, Legal Practice Director, Integra Legal

PRACTICAL PANEL DISCUSSION

Competency Area 1: Practice Management

Finding Time Where None Exists and Better Managing Your Own Practice

- How to 'find time' to engage in activities that facilitate positive health (and personal relationship) outcomes
- Time management and organisation tips: paper filing, digital management and more
- The art of delegation
- Flexible work arrangements: who can apply and what is the ROI for a firm?
- Parental leave and concerns for working parents
- Practical takeaways

Panelists:

Jo Alilovic, Director, 3D HR Legal; creator of podcast 'The Juggle'

Tim Hammond, Barrister, Central Law Chambers

Heather Gibson, Professional Organiser, Finer Details Concierge and Organiser Services

Competency Area 2: Professional Skills

Creativity as an Essential Legal Skill

Creativity is fast becoming a highly sought after professional skill, and the ability to think adaptively and iteratively has application in many industries. Can lawyers use more creative thinking in their work, and if so, how?

- Examine how lawyers can benefit from creative thinking
- Look at methods and tools to develop creating thinking
- Consider the IP implications of creative outcomes

Presented by **Michael Tucak**, Principal, Creative Legal

Competency Area 3: Ethics & Professional Responsibility

'Culture Shock': The Impact of Culture on Ethical Behaviour

There is a crisis of culture, or 'culture shocks' occurring in various industries, including financial services, retail and start-ups. This has attracted the attention of regulators, legislators and other stakeholders. This presentation will examine what culture actually is, explore the legal and general risks arising from poor culture, and consider the steps that can be taken to address this while offering insights and best practices for lawyers to ethically and responsibly deal with these issues.

Presented by **Adam Levine**, Partner, K&L Gates

4 ATTEND AND EARN

1 CPD point in Competency Area 3: Ethics & Professional Responsibility
3 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management
1 CPD point in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility



DISCRIMINATION LAW: THIS, THAT, THE OTHER AND MORE

WEDNESDAY, 27 MARCH 2019 \$490
9.00AM TO 1.15PM 193W37

Keep up with key developments in discrimination law and master how to walk over the blazing coals of this hotbed area where you need to be able to respond to any situation quickly, efficiently and with the utmost confidence. When your client calls you with their pressing questions and pleas for guidance you had better be prepared to properly advise them on the spot, so ensure you know precisely where the law stands and how to expertly guide your client to safety.

Chair: Renae Harding, Partner, Jackson McDonald

The Racial Discrimination Act 1975 (Cth) and the Federal Court of Australia

- Practice areas of the FCA in which the *Racial Discrimination Act* primarily arises
 - Jurisdictional issues
 - Notable recent judgments concerning the *Racial Discrimination Act*
- Presented by Tessa Herrmann, Barrister, Francis Burt Chambers

A Practitioner's Guide to Discrimination Actions under the Fair Work Act

- Overlap with actions under anti-discrimination laws
 - Time limits and limitation periods
 - Which forum? FWC vs Federal Courts vs State Courts
 - Establishing liability: the reverse onus of proof
 - Which remedy? Injunctions, compensation, reinstatement, penalties
 - Legal costs: FWC vs Courts
- Presented by Mark Hemery, Partner, Hotchkin Hanly

How to Take Positive Action to Minimise the Risk of Unlawful Discrimination and Legal Claims

- Avoiding indirect (and unintentional) discrimination in across-the-board requirements and/or workplace changes
 - Considering and responding to requests for flexible working
 - What are the 'inherent requirements' of the job (really)?
 - Are job applicants with criminal records protected from discrimination?
 - How can employers take 'All Reasonable Steps' to prevent harassment?
 - What does an effective anti-discrimination policy contain?
 - Pre-employment medicals and anti-discrimination
- Presented by Elizabeth Moran, Senior Associate, DLA Piper

Dealing with Workplace Discrimination Claims: A Practical Guide

- Workplace policies
 - Initial complaints
 - The Investigation: Who investigates; witness interviews; procedural fairness; suspension from employment; report & outcomes
 - Avoiding further claims
- Presented by Shannon Walker, Senior Associate, Norton Rose Fulbright

The Interplay between Discrimination and Mental Illness in the Workplace

- Mental illnesses and substance use disorders
 - Workplace triggers for mental illness and appropriate workplace conversations
 - Mental illness: the workplace statutory framework & policies
 - Performance management & termination of employment in a mental illness context
- Presented by Miriam Power, Special Counsel, K&L Gates

COSTS AND BILLING: CPD CORE COMPETENCY AREAS

WEDNESDAY, 27 MARCH 2019 \$490
2.00PM TO 5.15PM 193W38

Protect yourself and your practice by making sure that you have the right skills in your toolkit for this critically important area that is vital to a healthy lawyer/client relationship. Learn how to perfect your costs orders, be fair and transparent and tax and assess costs the right way through a practical and interactive workshop, all while earning your compulsory CPD units at the same time.

Chair: Jacqueline Brown, Legal Practitioner Director, Lynn and Brown Lawyers

Competency Area 1: Practice Management

How to Make the Transition to a Flat Fee Billing Structure and the Potential Benefits to your Practice

- The benefits of a flat fee structure and why you may want to apply it
 - Minimising disputes, attracting clients, greater transparency
 - Managing your finances to accommodate a flat fee structure
 - How to correctly structure a flat fee
 - Using historical data to estimate a fee
- Presented by GiGi Visscher, Barrister, Francis Burt Chambers

Competency Area 3: Ethics & Professional Responsibility

An Eye to the Introduction of the Uniform Law Projected for 1 July 2019 and What it Means for your Practice

- Obligations under the law regarding costs and cost disclosures
 - Ethical billing: examples of bad practice
 - Clear and transparent billing
 - Ethical considerations when a client complains about costs
 - What are your options for resolution?
 - The law and client complaints
- Presented by Philippa Rezos, Law Complaints Officer, Legal Profession Complaints Committee

Competency Area 2: Professional Skills

Improving Costs Recovery in Litigation

- Managing the file & making decisions to improve potential for costs recovery
 - Keeping effective records with cost recovery in mind
 - Efficiencies in running a law practice, to minimise unrecoverable costs
 - Different types of cost orders: when to use each type and what are the implications
- Presented by Richard Graham, Legal Practitioner Director, Vogt Graham Lawyers



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4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

1 CPD point in Competency Area 1: Practice Management
1 CPD point in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility

WILLS AND ESTATES GUIDE: FAMILY PROVISION APPLICATIONS

THURSDAY, 28 MARCH 2019 \$490
9.00AM TO 1.15PM 193W39

If you want practical insights into how to expertly manage family provision applications at every step of the process, this is the program for you. If you want to fine tune your costs and mediation skills and gain critical updates in the area, this is the program for you. If you want to tick off your CPD core competency points before the 31 March deadline, this is the program for you. In short, if you practice in wills and estates this is a can't miss program that's the perfect way to round out the CPD year.

Chair: **Sally Bruce**, Special Counsel, Jackson McDonald, Preeminent Lawyer in Wills, Estates & Succession Planning, *Doyle's Guide* 2018

Competency Area 4: Substantive Law

Family Provisions Practice Updates

- Changes to the Practice Direction
- Recent cases

Presented by **Maree van der Kwast**, Director and **Daniel Yazdani**, Lawyer, Dwyer Durack

Competency Area 1: Practice Management

Costs in Family Provision and your Practice

- The effect of *Miller v Taylor*
- The new costs scale in family provision claims
- Recent trends and future developments

Presented by **Peter Nevin**, Partner, Taylor Smart

Competency Area 2: Professional Skills

Resolving Family Provision Claims through Mediation: A Practical Perspective

- Preparing yourself
- Preparing and managing your client
- 'Case' studies: common issues that arise during mediations

Presented by **Paul Mendelow**, Barrister, Francis Burt Chambers and **Elise Croft**, Director/Lawyer, Croftbridge

Competency Area 3: Ethics & Professional Responsibility

Ethics for Lawyers in Succession Law

- Duties to the Court
- Duties to your Client
- Professional Duties and obligations
- Duties of an Executor
- Should the Lawyer Draftsperson be an executor?
- Application of the Lawyer's duties to
 - Uncontested Probate Applications;
 - Contested Probate Applications
 - Family Provision Applications
 - Will Construction/Interpretation Cases
 - Appeals

All of the above are considered in an environment where there is an intense focus on legal costs.

Presented by **John Hockley**, Barrister, Francis Burt Chambers

FAMILY LAW: PROPERTY MATTERS

THURSDAY, 28 MARCH 2019 \$490
2.00PM TO 5.15PM 193W40

Delve into the complex area of property and finance as we navigate the intricacies you and your practice need to be aware of. Spend an engaging and interesting afternoon with our panel and expand your toolkit, with practical take home knowledge you can apply in your business immediately

Chair: **Michael Rynne**, Barrister, John Toohey Chambers

Updates on Binding Financial Agreements

- Professional responsibility relating to financial agreements for de facto partners
- Can a financial agreement concern only superannuation interests?
- Recent developments on financial agreements

Presented by **Dr Anthony Dickey QC**, John Toohey Chambers

Shams and Scams, and How the Family Court Deals with Them

- What happens when written agreements or other documents evidence an apparent intention, but the other evidence shows that, in fact, there was no such intention?
- When might the parol evidence rule not apply to such 'other evidence'?
- When may the term 'sham' be applied and when may the court properly ignore the terms of a written agreement?
- The principles of *Raftland* (2008) and the cases that follow it

Presented by **Elizabeth Hynes** and **Katherine Bodey**, Directors, DCH Legal Group

Competency Area 2: Professional Skills

Trusts, Companies and Family Businesses: Tax Risks for Family Lawyers

- Division 7A: Why is it important and how are the rules changing?
- UPEs and Division 7A
- Strategies to deal with Division 7A issues
- Dealing with assets in trusts
- Triggering unwanted tax liabilities
- Strategies that can be utilised when determining the entity split

Presented by **Daniel Taborsky** and **Aimee Riley**, Senior Associates, EY Law

Competency Area 2: Professional Skills

Understanding Financial Statements: For Family Lawyers

- The basics: reading and understanding financial statements
- Trash or treasure: How reliable are financial statements?
- How healthy is the business: identifying indicators of financial risk
- Taking a closer look: using some helpful tools such as ratio analysis

Presented by **Dino Travaglini**, Director, Travaglini Corporate Advisory



28 MARCH 2019

Your last day of programs
for the CPD year

4 ATTEND AND EARN

- 1 CPD point in Competency Area 1: Practice Management
- 1 CPD point in Competency Area 2: Professional Skills
- 1 CPD point in Competency Area 3: Ethics & Professional Responsibility
- 1 CPD point in Competency Area 4: Substantive Law

3 ATTEND AND EARN

- 1.5 CPD points in Competency Area 2: Professional Skills
- 1.5 CPD points in Competency Area 4: Substantive Law



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MIGRATION LAW WORKSHOP

TUESDAY, 5 MARCH 2019 \$490
2.00PM TO 5.15PM (AEDT) WEB193V03

The last 2 years saw unprecedented changes in immigration law. With the 457 Visa now obsolete, it's anyone's guess what to expect next. This program features practical elements as well as black letter law from accredited specialists and esteemed migration lawyers. You will receive the latest updates for immigration lawyers and agents in 2019.

Chair: Roz Germov, Barrister, List A Barristers

Temporary Work (Subclass 457) and Temporary Skill Shortage (Subclass 482) Visas

Examine the issues in transitioning to Employer Nomination Scheme (subclass 186) and Regional Sponsored Migration Scheme (subclass 187) visas

Presented by Catherine Farrell, Senior Lawyer, Clothier Anderson

Monitoring of Sponsors by Australian Border Force

- Overview on the Home Affairs portfolio and the Department of Home Affairs
- Overview on the Australian Border Force as an operationally independent arm of the Home Affairs portfolio
- Sponsorship obligations
- The *Migration and Other Legislation Amendment (Enforced Integrity) Act 2018* and on-going reforms
- Data sharing, digitalisation, Global Digital Platform and implications of technological innovations on regulatory compliance and enforcement

Presented by Maria Jockel, Legal Principal, BDO Migration Services; Accredited Specialist in Immigration Law

Alternatives for Work in Australia, Limitation of Visitor Visas, 400 Visas

- Understanding business visitor activity
- When a 400 visa could be considered instead of a TSS Visa
- Transitioning from a 400 to a TSS Visa
- Common traps and pitfalls of using the visa
- 400 Visa compliance and risk management strategies

Presented by Chris Spentzaris, Partner, Fragomen, Accredited Specialist in Immigration Law; Chair of the Migration Law Committee of the Law Institute of Victoria

Professional Misconduct in Migration Law

- Common errors made by migration agents and solicitors
- How to assist clients when their initial representation was poor
 - Civil remedies available under contract, negligence and the Australian Consumer Law
 - Other migration options
- Consequences of errors for clients and their representatives

Presented by Lawson Bayly, Lawyer & Migration Agent

MIGRATION AGENTS CAN EARN 3 CPD POINTS
MARA ACTIVITY NUMBER: WK436



IN-HOUSE COUNSEL SUMMIT: NEW LAW, KEY UPDATES AND MODERN TRENDS

WEDNESDAY, 6 MARCH 2019 \$490
9.00AM TO 1.15PM (AEDT) WEB193N05A

In a perfect world you wouldn't have to worry about keeping up with new laws and the latest trends that are having a drastic impact on in-house practice right now. You'd have a vast team and endless resources to meet your obligations and guide your organisation. But the reality is that in-house counsel are being asked to do more with less while keeping up with a rapidly evolving legal landscape. We can't give you that perfect world, but we can give you the information, updates and tools you need to succeed in today's shifting in-house landscape.

Consumer Data Right: A Seismic Shift in Data Regulation

- Key features of the Consumer Data Right
- The regulatory framework and the key players
- How will data transfers work in practice?
- What's at stake? Compliance monitoring and consequences of non-compliance: remedies and enforcement powers for breaches
- A look ahead: what's coming next and what you need to do to prepare

Presented by Valeska Bloch, Partner, Allens

En Garde: Consumer Law Crackdown and the ACCC, Substantially Increased Penalties and how to Avoid the Risks

- New and significantly higher penalties now in force for contraventions of the Australian Consumer Law
- Risks arising from increased ACCC activities under the ACL
- ACCC's compliance and enforcement priorities for 2019
- Update on additional consumer law reforms and the impact on in-house counsel
- How to ensure your business operations are compliant with the ACL

Presented by Sonia Stewart, Barrister, 5 Wentworth Chambers

The Royal Commission into the Financial Sector: the Wide Ranging Impact and What it Means for Companies Across Australia

- The key findings that in-house counsel need to have on their radar
- Beyond banking and finance: the wider impact on companies and governance
- Changes in regulatory enforcement powers, levels and strategies: developments that won't be limited to financial services entities
- Lessons for in-house counsel and strategies to implement going forward

Presented by Dr Hillary Ray, Partner, Cowell Clarke

Employment Law Update

- The Fair Work Ombudsman's expanded statutory powers, recent actions, and increased penalties
- Modern slavery laws update, supply chain transparency, and reporting
- Additional key developments in employment law

Presented by Paul Lorraine, Executive Counsel and Team Leader, Harmers Workplace Lawyers

Mental Health in the Workplace: Education and Prevention

- Mental illness: prevalence, definitions, types, signs, causes
- The neurobiology of chronic stress and its impact on mental capital
- Prevention and intervention: consideration of policies and procedures
- Skills for in-house counsel to implement in their role

Presented by Rachel King, Applied Neuroscience

3 ATTEND AND EARN

3 CPD points in Competency Area 4: Substantive Law

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law



INTELLECTUAL PROPERTY FORUM: IP ROUNDUP

TUESDAY, 12 MARCH 2019 \$490
9.00AM TO 1.15PM (AEDT) WEB193N11A

Make it easy on yourself by making this your one stop shop for everything you need for your IP practice this March. The latest trends in patents, trade marks, copyright and commercialising IP? Check. Don't overthink this and make the easy call to square away some CPD points while exploring all the critical updates you need to know in IP to keep your practice racing along ahead of the pack.

Chair: **Sonia Stewart**, Barrister, 5 Wentworth Chambers

Changes to Australia's Patent Landscape

- Computer-implemented inventions: the latest on manner of manufacture
- Patent exhaustion: repairing versus rebuilding
- Proposed changes to inventive step and other legislative developments

Presented by **James Lawrence**, Partner, Mills Oakley; editor, Patents Chapter in *Halsbury's Laws of Australia*

Trade Mark Law: Changes and Recent Cases

- Parallel imports
- Non-use period
- Additional damages for unjustified threats
- Impact on Australian businesses
- Recent cases

Presented by **Donna Short**, Partner, Addisons; Recommended Lawyer, Legal 500 Asia-Pacific for Intellectual Property 2018

Digital Age and Copyright: Internet and More

- Online marketplaces and content sharing services
- EU proposed directive on copyright
- Linking
- Copyright modernisation (Aust)

Presented by **Dianne Beer**, Special Counsel, Thomson Geer; Past President of the Licensing Executives' Society for Australia and New Zealand

Recent Developments in Remedies in IP Litigation

- Quantification of damages
- Injunctions: limitations and difficulties
- Recent cases

Presented by **Lucy McGovern**, Barrister, Tenth Floor Chambers and **Andrew Fox**, Barrister, Wentworth Chambers



PRIVACY AND DATA SECURITY: AND THE CHANGES KEEP COMING...

FRIDAY, 15 MARCH 2019 \$490
2.00PM TO 5.15PM (AEDT) WEB193V18

Never has privacy and data security been more at risk and difficult to protect, and never have the consequences for failing to protect privacy and data been so high. With developments in the area coming at breakneck speeds, it's essential that you continuously update yourself on the latest changes, threats and strategies in the area. Get caught up on what you need to know to protect your clients or your organisation.

Chair: **Iain McLaren**, Special Counsel, HWL Ebsworth Lawyers

Privacy and Data Breach Class Actions

- Characteristics of a privacy class action
- Jurisdictional considerations
- Court class action vs representative complaint

Presented by **Michael Rivette**, Barrister, Chancery Chambers

Managing Privacy Supply Chain Risks: Finding the Weakest Link

- Understand and identify key privacy supply chain risks
- Outline of legal obligations to manage privacy supply chain risks
- Practical tips to mitigate privacy supply chain risks
- Contracting with supply chain
- Audit of supply chain

Presented by **Cameron Abbott**, Partner, and **Keely O'Dowd**, Senior Associate, K&L Gates

Privacy Complaints

- Process for complaints under the *Privacy Act 1988* (Cth)
- Conciliation, determinations and other outcomes of complaints
- Own motion investigations of the OAIC
- Representative complaints
- Judicial review of OAIC determinations

Presented by **David Smith**, Partner, Gadens

Data as an Asset: Latest Issues and Managing Legal Risk

- Understanding data as a key 'asset' for business and exploring some of the industry themes and issues
- Overview of the regulatory regimes applying to data for businesses: Mandatory Data Breach Notification regime, new Consumer Data Right (CDR), Open Banking, the *Privacy Act*, GDPR
- Issues in the protection of data: some constraints and issues in managing and exploiting the new world of data
- Key takeaways in protecting and managing data for businesses

Presented by **Albert Yuen**, Special Counsel, Gilbert + Tobin

FOR MORE IN-DEPTH CONTENT
tailor made for those working with IP,
SEE PAGE 21



FILM AND TELEVISION LAW SUMMIT

12TH ANNUAL

TUESDAY, 19 MARCH 2019
9.00AM TO 5.15PM (AEDT)

\$870
WEB193N23

The entertainment industry is in the spotlight, possibly now more than ever before. With so many challenges and so much risk facing those working in this area, it's critical that you keep up to date with the latest developments impacting the sector. Join a cadre of leaders in the field to discuss and examine diversity, discrimination and wellness in the workplace. Explore the ins and outs of defamation, copyright, contracts and everything else you need to know to make sure your organisation or your clients aren't next in line for a disastrous headline in the news.

SESSION 1: Behind the Scenes

9.00AM TO 1.15PM WEB193N23A \$490

Chair: **Mark Bamford**, Director, Simpsons Solicitors

INTERACTIVE PANEL DISCUSSION

Diversity, Wellness, Discrimination in the Workplace

- The new code of conduct: Is it working?
- Has there been a cultural change?
- How do we attain diversity and inclusion in the workplace?
- Complaints policies and procedures: what to have in place
- Mental health issues within the industry

Facilitator: **Mark Bamford**, Director, Simpsons Solicitors

Panellists: **Zoe Angus**, Director, MEAA; **Simon Ward**, Psychologist and Actor, Nomiz Australia; **Sally Regan**, Acting Director, Investment, Engagement and Attraction, Create NSW **Screen Producers Association**

Based on Inspired by a True Story: Defamation Dramas

- Navigating legal risk in drama and docudrama
- 'Based on' or 'Inspired by': What's the difference?
- Unravelling truth from fiction
- Privacy vs freedom of speech

Presented by **Theo Dorizac**, Senior Legal Counsel, SBS

Location, Location, Location

- Understanding the Location Incentive and its merit basis
- Attracting international production and post production
- Federal and State screen incentives
- Streaming services: multiplatform funding and disruption
- Global updates and developments impacting the Australian industry

Presented by **Debra Richards**, Chief Executive Officer, Ausfilm

Socials, Streaming and Sensitive Information: Risks of Internet Broadcasting

- Implications for film and TV content producers of the increase in internet broadcasting
- Legal risks arising from publication
- How lawyers can assess and address risks
- Trends in litigation regarding on-line publications

Presented by **Sophie Dawson**, Partner, and **Jarrad Parker**, Senior Associate, Bird and Bird

Social Impact Programming

- Engaging audiences through programs with a social impact
- Maximising social impact: social media, call to action, surveys, community engagement
- Formats: acquiring tested formats or creating your own
- Working with philanthropic organisations

Presented by **Julia Pincus**, Senior Business Affairs Manager, ABC

SESSION 2: Contracts, Fair Dealing, and Immigration Rules

2.00PM TO 5.15PM WEB193N23B \$490

Chair: **Ian Robertson AO**, National Managing Partner, Holding Redlich

Unfair Contract Terms

- The unfair contract regime
- Application of the regime to film and television contracts
- Recent case law and examples
- Drafting standard form contracts: practical tips

Presented by **Ian Robertson AO**, National Managing Partner, and **Sarah Butler**, Senior Associate, Holding Redlich

Fair Dealing: Parody and Satire Revisited

- Clarifying the law in relation to fair dealing
- Understanding the implications of what is considered 'fair dealing'
- Measuring the four factors of fair use

Presented by **Lesley Power**, General Counsel, Special Broadcasting Service

Entertainment Visas: Migration Issues for the Entertainment Industry

- Who needs a visa and what do they need?
- Key requirements and how to meet them
- A little about the process
- Things that can go wrong (and sometimes do!)

Presented by **Ron Kessells**, Partner, Arjuria Lawyers



**AUSTRALIA'S PREMIER
FILM AND TV LAW
EVENT FOR 12 YEARS**

6 ATTEND THE FULL DAY AND EARN

6 CPD points in Competency Area 4: Substantive Law



CIVIL LITIGATORS PRACTICE AND PROCEDURE INTENSIVE

WEDNESDAY, 20 MARCH 2019
9.00AM TO 1.15PM (AEDT)

\$490
WEB193N25

This unique and practical intensive brings together an esteemed panel of litigators, the Hon. Justice James Stevenson and Supreme Court Prothonotary Rebel Kenna to provide a practical exposé on some crucial skills and procedures that are vital to a civil litigator's practice. Address the common pitfalls in pleadings, particulars and defences via a practical workshop, examine in detail preparing witnesses and perfecting affidavits, gain insights from the Prothonotary and review the do's and don'ts in trial preparation.

Chair: **Dr Ronald Desiatnik**, Barrister, NSW Bar; editor, *Lawbook Co.'s District Court Law Reports (NSW)*, Thomson Reuters



VIEW FROM THE BENCH

Opening Address

Presented by **The Hon. Justice James Stevenson**, Supreme Court of NSW



PRACTICAL SKILLS WORKSHOP

Pleadings, Particulars and Defences: What, When, Where, How?

- Avoiding common pitfalls
- Evidence required for proper pleadings
- Conforming to the Uniform Civil Procedure Rules
- Examples: 'The Good, the Bad and the Ugly'

Presented by **Farid Assaf SC**, Banco Chambers; Recommended Commercial Litigation & Dispute Resolution Senior Counsel, *Doyle's Guide 2018* and **Julian O'Sullivan**, Barrister, Thirteen Wentworth Selborne

Preparing Witnesses and Perfecting Affidavits

- Revisiting ethical and practical considerations
- Formal requirements
- Perfecting your drafting style
- Ensuring admissibility and compliance with the *Evidence Act*: common pitfalls to avoid

Presented by **Michelle McMahon**, Barrister, 6 St James Hall Chambers

A Practitioner's Guide to Navigating the Supreme Court

- Case management in the Supreme Court: how to navigate the myriad of lists
- Online Court: what is expected of practitioners
- Recent amendments: UCPR and practice notes
- Proper communication with the Court
- Practitioners found in contempt of court: two recent examples

Presented by **Prothonotary Rebel Kenna**, Director and Prothonotary, Supreme Court of NSW

Preparing for Trial: The Do's and Don'ts

- Is it possible to be over-prepared?
- 'Macro' preparation: getting your ducks in a row
- 'Micro' preparation: the importance of sweating the small stuff (from practice notes to paperclips)
- Working with counsel: brief
- Collaborating with counsel in trial preparation
- What the courts expect: Section 56 *Civil Procedure Act*
- Some practical tips (do's and don'ts)

Presented by **Adrian Maroya**, Barrister, Selborne Chambers Boland, Principal, The Relationspace



MIGRATION WORKSHOP: REGIONAL MIGRATION PATHWAYS

THURSDAY, 21 MARCH 2019
9.00AM TO 1.15PM (AEDT)

\$490
WEB193N29

You don't need crystal balls, tea leaves, or even a loose-lipped inside source in government to know where migration is headed. Simply put, regional migration is the hottest topic in migration law and you need to be on top of the area. There are numerous pathways with often byzantine requirements and caveats, and every state approaches regional migration in its own unique way, so there's a lot of complexity to contend with. Catch up on where regional migration is headed and the ins and outs of the procedural processes in one information packed morning.

Chair: **Rita Chowdhury**, Principal, Integrate Legal

Skilled Nominated Visa (Subclass 190): Seeking State/Territory Nomination for a Permanent Visa

- The various processes and requirements of state and territory governments
- Comparing state and territory skilled occupation lists
- State and territory nomination, SkillSelect and Invitations
- Obligations of nominated visa holders

Presented by **Richard Hardy**, Special Counsel, Salvos Legal; Accredited Specialist in Immigration Law

Migration to Northern Australia and the NT DAMA and MINT program

- Migrant Innovation Northern Territory (MINT) program
 - Permanent residency for committing to being involved in Darwin Innovation Hub
 - Priority processing and consideration of a wider range of occupations than listed on the NT Migration Occupation List
 - Concessions for those applying for a subclass 132 or 188 visa
- Northern Territory Designated Area Migration Agreement
 - Occupations included in the agreement and available concessions
 - Demonstrating qualifications and experience
 - Assessing employer eligibility

Presented by **Peter Ballard**, Principal, Lewis & Bollard; Accredited Specialist in Immigration Law; *Best Lawyers 2018*, Immigration Law

Skilled Regional (Provisional and Permanent) Visas (Subclass 489/ Subclass 887)

- Extended stay pathway: subclass 475, 487, 495 or 496 visa
- Invited pathway: state or territory government agency or eligible relative nomination process
- Subsequent entry pathway
- Eligibility considerations

Presented by **Raymond Turner**, Solicitor and Migration Agent, Turner Coulson Immigration Lawyers; Accredited Specialist in Immigration Law

Regional Sponsored Migration Scheme (Subclass 187)

- Permanent residence for skilled workers
 - Temporary Residence Transition stream
 - Direct Entry stream
- Australian employer nomination process
- Eligibility requirements

Presented by **Douglas Allison**, Senior Associate, Fragomen

MIGRATION AGENTS CAN EARN 4 CPD POINTS
MARA APPROVAL NUMBER: WK433

4 ATTEND AND EARN

4 CPD points in Competency Area 2: Professional Skills

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law



CPD COMPULSORY UNITS FOR ALL LAWYERS ON 22 MARCH

FRIDAY, 22 MARCH 2019
2.00PM TO 5.15PM (AEDT)

\$490
WEB193N33

As the market becomes more challenging and competitive, everyone from junior lawyers to principals and partners must stay ahead of the pack in order to survive. Join our panel of specialists to learn what you can do to deal with tricky ethical grey areas, captivate your audience when delivering a speech or presentation, and both engage and retain your clients through deft management of expectations. Master each of these skills all while gaining your core CPD points for the year.

Chair: **Aileen Challinor**, Principal, Pivotal Lawyers

Competency Area 3: Ethics & Professional Responsibility Just Because it's Legal Doesn't Make it Ethical

- Elements of fairness and candour
- The obligation to ensure costs are reasonable and proportionate
- The role of mega-litigation
- The duty to assist the court

Presented by **Francisco Esparraga**, Senior Lecturer, University of Notre Dame

Competency Area 1: Practice Management

Engaging and Retaining Clients: Managing Expectations

- First impressions: how to be honest, realistic, and still get the business
- What to document at the engagement's outset
- Does what you're doing match what your client thinks you're doing?
- How to break bad news without overly discouraging the client
- Handling client disappointment
- War stories and real-world examples from various jurisdictions

Presented by **Paul Taylor**, Director, Pattison Hardman

Competency Area 2: Professional Skills

Effective and Engaging Presentations: A Practical Guide

- Conception: knowing your audience
- Preparation: using materials effectively
- Delivery: how to find your own style
- Takeaway tips and Q&A

Presented by **Jarrad Parker**, Senior Associate, Bird & Bird



YOU CAN TUNE IN
LIVE AND ONLINE



SMSFS: STRATEGIES FOR THE MODERN ERA

TUESDAY, 26 MARCH 2019
9.00AM TO 1.15PM (AEDT)

\$490
WEB193N34

The impact of recent superannuation reforms are still rippling through the area. Ensure you're up to date on the cutting edge strategies that your clients will demand regarding contributions, property and investments, death benefits and insurance. With so many changes in recent times it's frighteningly easy for your strategies to become outdated, so make sure you're investing your time wisely into staying at the forefront of a successful SMSF practice.

Chair: **Lisa To**, Partner, Bartier Perry Lawyers

Death Benefits and Binding Death Benefit Nominations

- Death benefits, when they are paid out and to whom
- Reversionary vs non-reversionary: the circumstances
- Tax implications of death benefit payments
- Binding death benefit nominations vs non-binding death nominations
- Pensions, limits and the transfer balance account
- Cashing out and re-contribution strategy for estate planning purposes
- Obligations of executors and administrators in estate administration
- Who benefits can be paid to, and how trustees can and do exercise their discretion
- Snapshot of the disputes that arise in applications for superannuation death benefits and how they can be managed

Presented by **Denis Barlin**, Barrister, 13 Wentworth Selborne Chambers; Leading Wills & Estates Litigation Junior Counsel, *Doyle's Guide* 2018

Insurance and SMSFs: Ensuring Insuring is Done Right

- Common life insurance products for SMSFs and their basic features
- Applying for cover and the duty of disclosure
- Claims and the obligations of the member, the trustee and the insurer
- What to do when a claim is declined

Presented by **Adrian Coombes**, Barrister, Second Floor Wentworth Chambers

Property and Investments within SMSFs

- Can an SMSF be in the business of property development?
- SIS Act requirements that come into play
- Structures available to hold property in an SMSF
- Tax considerations and traps to avoid
- Considerations on death and succession planning
- Other allowable investments for SMSFs and those to avoid

Presented by **Simon Robinson**, Financial Adviser, RSM Financial Services Australia

Contribution Strategies in the New World of Superannuation

The super reforms have resulted in constraints on contributions and the amount of concessional taxed benefits.

- Recap of revised contributions rules
- How to maximise contributions and avoid the pitfalls of excess contributions tax
- The work test and the circumstances in which over 65s can continue to make contributions
- Interplay between contributions and the total superannuation
- How to work out your non-concessional cap
- The impact of getting things wrong

Presented by **Louise Meijer**, Partner - Private Business & Family Advisory, Pitcher Partners

3 ATTEND AND EARN

- 1 CPD point in Competency Area 1: Practice Management
- 1 CPD point in Competency Area 2: Professional Skills
- 1 CPD point in Competency Area 3: Ethics & Professional Responsibility

4 ATTEND AND EARN

- 4 CPD points in Competency Area 4: Substantive Law



CPD COMPULSORY UNITS FOR ALL LAWYERS ON 26 MARCH

TUESDAY, 26 MARCH 2019
2.00PM TO 5.15PM (AEDT)

\$490
WEB193N37

Much is asked of a lawyer. The legal side of things is just one aspect of a successful practice. In order to thrive you also need to know how to recover from an oversight or a mistake, maintain longstanding and successful client relationships, and ensure that your practice matches your goals and vision for your career. Gain your core CPD units while ensuring that your practice stays on track in each of these critical areas.

Chair: **Paul Taylor**, Director, Pattison Hardman

Competency Area 2: Professional Skills
Maintaining Effective Client Relations

The client is always right... or are they? Balancing a client's interests with an ethical practice and avoiding client dissatisfaction is a skill that requires mastery. Explore how to maintain that balance to ensure you have satisfied clients and a successful, and ethical, practice.

Presented by **Peter Godkin**, Barrister, 7 Garfield Barwick Chambers

Competency Area 1: Practice Management
Aligning Business Vision with Personal Vision

- What is your personal vision? What do you want to get out of life now?
- Wheel of Life analysis: understanding where you are and where you want to be
- What is your business vision? What do you want to get from your work?
- Do they align or is there a mismatch?
- Practical steps and options to create change

Presented by **Malcolm Bersten**, Owner Principal, The Alternative Board

Competency Area 3: Ethics & Professional Responsibility
How to Deal with an Oversight or Inadvertent Mistake

- Ethical principles and Solicitors Conduct rules
- Dealing with Legal Services
- Case law, war stories and ethical dilemmas
- Putting it in practice: what to do when you become aware of a mistake
- Common scenarios and possible options

Presented by **Elizabeth Picker**, Barrister, Edmund Barton Chambers

"Always impressed with Legalwise Seminars - first class/experienced presenters."

"My experience was insightful and provided useful tips for practice."

3 ATTEND AND EARN

- 1 CPD point in Competency Area 1: Practice Management
- 1 CPD point in Competency Area 2: Professional Skills
- 1 CPD point in Competency Area 3: Ethics & Professional Responsibility



PRACTICE, PROCEDURE AND THE LAW OF PARLIAMENT

WEDNESDAY, 27 MARCH 2019
2.00PM TO 5.15PM (AEDT)

\$490
WEB193N39

Gain an edge by building your knowledge of Parliamentary procedures and law making, an area that too often goes uncovered despite being absolutely critical to the fundamental knowledge of the law. Consider the finer details of the law making process, hone your knowledge of Parliamentary procedure and understand how information and privilege impact the law of Parliament. Don't miss your chance to delve into each of these areas with some of the foremost authorities in the field, including the NSW Information Commissioner, NSW Ombudsman, NSW Parliamentary Counsel, Clerk of the Parliaments and a leading barrister.

Chair: **Elizabeth Tydd**, NSW Information Commissioner

The Law Making Process

- How proposals for new laws or amendments to existing laws are generated and approved
- The legislative drafting process
- The enactment process
 - Parliamentary Bills
 - Delegated legislation

Presented by **Annette O'Callaghan**, Parliamentary Counsel, NSW Parliamentary Counsel's Office

Parliamentary Privilege In Practice

- Parliamentary privilege and separation of powers
- How parliamentary privilege develops
- Parliamentary privilege and statutory secrecy
- Parliamentary access to information
- Current issues in parliamentary privilege

Presented by **David Blunt**, Clerk of the Parliaments, Legislative Council

Information, Privilege and Parliament

- Executive privilege: What are the limits on Parliament's powers to compel the giving of documents or evidence from the Executive?
- Privilege in submissions
- Parliamentary privilege and evidence: limits on civil courts
- Key cases and practical insights and tips

Presented by **Thomas Prince**, Barrister, New Chambers

Parliamentary Statutory Officers

- The evolution and role of Parliamentary Statutory Officers
- The relationship between Parliamentary Statutory Officers and the Parliament
- The relationship of Parliamentary Statutory Officers and the rule of law
- The accountability of Parliamentary Statutory Officers

Presented by **Michael Barnes**, NSW Ombudsman

3 ATTEND AND EARN

- 3 CPD points in Competency Area 4: Substantive Law



PPSA: CHANGES, UPDATES AND PRACTICALITIES

WEDNESDAY, 27 MARCH 2019
9.00AM TO 1.15PM (AEDT)

\$490
WEB193N40

Practitioners continue to make costly mistakes when dealing with the PPSA. New changes and cases continue to roll in. Registration and transactional issues are ever evolving, requiring novel strategies to earn positive results. Staying on top of these developments in the area is critical and there's a lot to keep up with, so spend a morning catching up on the latest trends solicitors need to know for a successful practice.

Chair: **Ian Davidson SC**, Eighth Floor, Selborne Chambers

Failure to Perfect Security Interests and Applications for Extensions of Time to Perfect

- Vesting of security interests
 - When and in what circumstances do the vesting provisions in the PPSA and *Corporations Act* operate?
 - What is the effect of the vesting provisions if they operate?
- Applications for extensions of time to perfect a security interest
 - When can they be made and how are they made?
 - What will the court consider in determining whether an extension should be granted?
 - What is the effect of an extension of time?

Presented by **Heather Sandell**, Special Counsel, Baker McKenzie; *Best Lawyers* 2019, Insolvency and Reorganisation Law

PPSR Through the Eyes of an Insolvency Practitioner

- The key role that a legal advisor has in an external administration to manage risk
- What we look for when deciding who we'll retain

Presented by **Andre Lakomy**, Partner, Cor Cordis

Priority Risks and Disputes, Applications and Compliance

- Possible priority disputes between pre-registered and just registered security interest
- Strategies to avoid or minimise the risk of loss of priority
- Pre-registration, contracting out and post registrations requirements
- Application to remove, correct, restore or prevent registrations
- PPSA compliance programs

Presented by **Nino Di Bartolomeo**, Partner, Norton Rose Fulbright

And the Changes Keep Coming: New Cases, Developments and Trends You Need to Know

Examine the latest changes, trends and new cases that will impact your practice and explore how to leverage that information into effective strategies for your clients.

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



DIRECTORS AND OFFICERS SUMMIT: YOU HAVE THE FULL SUPPORT OF THE BOARD

THURSDAY, 28 MARCH 2019
9.00AM TO 1.15PM (AEDT)

\$490
WEB193N42

The many risks directors and officers need to manage seems to increase with each passing year as the consequences for failure grow ever more dire. Ensure you or your clients remain in the good graces of the Board and protect your clients, your organisation or yourself by keeping up to date on the latest obligations related to work health and safety, disclosures, fundraising, insurance and more.

Chair: **Grant Hummel**, Partner, HWL Ebsworth Lawyers

Work Health and Safety Obligations for Directors and Officers

- An outline of the primary duties imposed on officers under WHS laws
- Who is an 'officer'?
- What is safety 'due diligence'?
- Recent case law and developments

Presented by **Lea Constantine**, Partner, Ashurst

The Use of Delegation Models

- Identifying matters reserved for board approval
- The percentage of non-executive directors and corporate performance
- Types and use of Board Committees: how they are created and governed
- Management accountability and authority

Presented by **Jacqui Barrett**, Partner, Hall & Wilcox

Continuous Disclosure Obligations and Capital Raisings

- An outline of the continuous disclosure and fundraising regimes
- What is the risk if the board gets it wrong?
- What can boards do about it?

Presented by **Antony Rumboll**, Partner, Baker McKenzie

Case Update in Directors and Officers Insurance

Explore the latest cases involving directors and officers insurance, analyse the circumstances of each, and consider the key takeaways that you can apply in your own practice or organisation.

Presented by **Natasha Case**, Barrister, Greenway Chambers

Directors and Officers Liability Insurance and Market Update

- What is going on in the world of D&O?
- Current market conditions

Presented by **Ruth Parker**, Client Manager, Financial Specialties, Aon

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law

4 ATTEND AND EARN

4 CPD points in Competency Area 4: Substantive Law



INCOME PROTECTION, DEATH AND TOTAL PERMANENT DISABILITY (TPD)

THURSDAY, 28 MARCH 2019 \$490
9.00AM TO 1.15PM (AEDT) WEB193N44

Income protection, death and Total and Permanent Disability (TPD) insurances are commonplace cover for many Australians today with TPD being offered at no charge under many superannuation funds. Thus, injured clients may in fact be eligible for compensation under one of these policies in certain circumstances. This seminar will provide you with practical information to provide an understanding of this important area. Examine what is meant by pre-contractual disclosure under the *Insurance Contracts Act*, gain an overview of claims under these policies, including a review of the operation of exclusion or eligibility clauses and consider the implications of tax, superannuation and Centrelink on the payment under one of these policies.

Chair: **Valerie Heath**, Barrister, Maurice Byers Chambers

Income Protection, Death and TPD Policies and Claims Overview

- Life insurance: understanding its complexities
- Traps in interpreting these policies
- Options to pursue a claim if it is declined (internal dispute resolution, the Australian Financial Complaints Authority, the District Court or the Supreme Court)
- Some observations arising out of the Royal Commission into the Financial Sector

Presented by **Colin Pausey**, Consultant, Sparke Helmore

The Insurance Contracts Act and Non-Disclosure Cases: Critical Lessons for Personal Injury Lawyers

- Pre-contractual disclosure
- Fraudulent and non-fraudulent non-disclosure and misrepresentation
- Insurer's remedies

Presented by **Paul Bingham**, Barrister, Howells' List

Competency Area 2: Professional Skills

Practical Perspective on Dealing with Superannuation Disability Claims

This session will reveal to you some of the practice issues when you deal with superannuation disability claims, address common traps, and give you useful tips to ensure an effective resolution of claims.

Presented by **Christiane Etienne**, CEO and Principal Solicitor, Win/Win Super Claims

Tax, Superannuation and Centrelink Implications after Insurance Payment

- Basics on superannuation: tax components, preservation age, permanent incapacity condition of release
- Tax calculation for insurance claimants accessing benefits from superannuation
- Centrelink issues TPD claimants need to be aware of
- Costly pitfalls insurance claimants can fall into
- Tax calculation errors that occur
- Alternate ways claimants can access their benefit to reduce tax
- Should you pursue an income protection claim for your client?

Presented by **Andrew Reynolds**, Principal, Fitzpatrick's



SHAREHOLDER AGREEMENTS AND SHAREHOLDER RECOVERY

THURSDAY, 28 MARCH 2019 \$490
2.00PM TO 5.15PM (AEDT) WEB193N43

Perfecting a shareholder agreement is tricky enough, but then things only grow more complicated when the spectre of corporate misconduct rears its ugly head. Delve into the nuts and bolts of crafting an unassailable shareholder agreement through an interactive and practical workshop followed by an eye opening examination of what to be wary of when a corporation misbehaves and how to handle such situations as they relate to shareholder recovery.

Chair: **Snezana Vojvodic**, Partner, Brown Wright Stein Lawyers

PRACTICAL WORKSHOP

Preparation of Shareholder Agreements

- Drafting shareholder agreements
- Governance, control and finance in shareholder agreements
- Negotiating shareholder agreements with respect to resolution of conflicts

Shareholder Entry and Exit Strategies

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

Presented by **John Graves**, Principal, Bradfield & Scott Lawyers; Accredited Specialist in Business and Property Law and **Michael Neylan**, Managing Principal, 42.2 Law; *Best Lawyers* 2019, Transportation Law

The Spectre of the Shareholder: Beware the Board's Behaviour

- A consideration of corporate misconduct and shareholder recovery
- What is 'commercial unfairness'? Examining the complexities of corporate oppression
 - Potential consequences of an oppression suit
 - Some recent decisions on the nature of s232 and s233 of the *Corporations Act*

Presented by **David Andrews**, Partner, and **James d'Apice**, Senior Associate, Makinson d'Apice Lawyers

"Engaging presenters and very practical examples."

"Well presented, excellent materials, concise and straight to the point."

4 ATTEND AND EARN

1 CPD point in Competency Area 2: Professional Skills
3 CPD points in Competency Area 4: Substantive Law

3 ATTEND AND EARN

3 CPD points in Competency Area 4: Substantive Law



MEDIATION MASTERCLASS: POSITIVE RESULTS FOR PLEASED CLIENTS

THURSDAY, 28 MARCH 2019 \$490
2.00PM TO 5.15PM (AEDT) WEB193N45

Mediation is an increasingly effective way of delivering results for clients. Venture beyond the basics and spend an afternoon understanding the nuances of mediation that can help you stand apart from the crowd. Hear from experienced practitioners about how to maximise the benefits of mediation and explore different high level strategies and techniques, all while hearing from the experts about what styles work for them. This masterclass is specifically tailored to practitioners who want to deliver results for their clients at the end of the day. After this masterclass you will be a more effective mediator and you'll have your ethics point wrapped up for good measure.

Chair: **Maria Gerace**, Barrister, 13th Floor, St James Hall

✔ **Competency Area 2: Professional Skills**

Mediation: The Roles of the Lawyer and Mediator

- Effective mediation requires preparation and constructive guidance by each lawyer and the mediator
- The role of those professionals is fundamental to enhancement of the mediation for the benefit of the parties
- The presentation will illustrate the practical performance of those roles

👤 Presented by **The Hon Peter Rose AM QC**

✔ **Competency Area 2: Professional Skills**

Mediation Advocacy: You're not in Court, so Don't Act Like You Are

- Getting the mindset right: compromise vs all or nothing approach
- Understanding and managing litigation risk
- Managing client expectations

👤 Presented by **Andrew Rider**, Barrister, Level 22 Chambers; Recommended Tax Junior Counsel, *Doyle's Guide 2017*

✔ **Competency Area 2: Professional Skills**

Drafting Impeccable Settlement Agreements

- The merits of judgments and orders by consent or an inter parties agreement
- Issues about estoppel and res judicata
- What does without admissions mean?
- What effect does the dismissal of proceedings have?
- Deeds of settlement including the role of recitals and the effect of releases
- Costs

👤 Presented by **Paul Cutler**, Barrister, Edmund Barton Chambers

✔ **Competency Area 3: Ethics & Professional Responsibility**

Ethical Issues in Mediation: Conflict, Greed and Moral Morasses

The ethics of the informal and client-driven process of mediation are as real and important as the ethics of the formal and judge-driven process of the courtroom.

- Analysis into how forensic ethics apply generally in mediations
- The scope of the duties to keep the client apprised (under the Uniform Rules and at general law) and to act in good faith
- Overcoming ethical challenges in mediation while achieving successful outcomes

👤 Presented by **David Ash**, Barrister, Frederick Jordan Chambers



FAMILY LAW PRACTICE AND PROCEDURE

FRIDAY, 29 MARCH 2019 \$490
9.00AM TO 1.15PM (AEDT) WEB193N46

Gain practical and thorough guidance to navigate you through the maze of evidence, arbitration, witnesses and interim financial hearings. Master the challenges you will face in your practice while learning from a panel of experts who will leave you with useful takeaways that you can implement in your practice immediately.

Chair: **Nicolas Ford**, Barrister, Edmund Barton Chambers

Practical Tips for Disclosure and Evidence Gathering

- The obligation of disclosure in family law matters
- The implications of failing to make a full and frank disclosure, and how to deal with another party failing to make disclosure
- Subpoenas: what, when and how
- Other discovery and evidence gathering methods
- Timing, and how this relates to preparation of affidavits

👤 Presented by **Sarah Bevan**, Principal, Sarah Bevan Family Lawyers; Accredited Specialist in Family Law

Family Law Cases: "To Collaborate, Mediate, Arbitrate or Litigate?" That is the Question

- Exploring the alternate dispute resolution (ADR) options
- Examining the advantages and disadvantages of each option
- Utilising ADR options to achieve a successful outcome in family law cases

👤 Presented by **Maurice Edwards**, Special Counsel, Watts Mcray

Practical Guidance on Witnesses in Family Law Cases

- Strategies for preparation of witnesses
- Preservation of confidentiality
- Ensuring statements are admissible

👤 Presented by **Giles Stapleton**, Barrister, 9 Selborne Chambers

Preparing for an Interim Financial Hearing

- Jurisdiction and power of the court to make orders for interim financial relief, including an overview of:
 - Spouse maintenance
 - Partial property settlement/costs orders
- Practical hints and tips when drafting orders, financial statements and affidavits for an interim hearing

👤 Presented by **Melanie Stern**, Senior Associate and **Alicia Elliott**, Director, K D Holmes Solicitors



ACCREDITED SPECIALISTS

Are required to complete
10 points of CPD each year

3 ATTEND AND EARN

2 CPD points in Competency Area 2: Professional Skills
1 CPD point in Competency Area 3: Ethics & Professional Responsibility

4 ATTEND AND EARN

4 CPD points in Competency Area 2: Professional Skills

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PLEASE REGISTER ME FOR THESE PROGRAMS:

VENUE: PARMELIA HILTON HOTEL, 14 MILL STREET, PERTH

SEMINAR NAME	Code	Std. Price	Early Bird	Face to Face	Live online	Recording
Wills and Estate Disputes	193W01	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Estate Planning and Administration: Skills and Strategies	193W02	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employment Law Roundup	193W03	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for All Lawyers on 6 March	193W04	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Personal Injury Forum	193W05	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for Personal Injury Lawyers	193W06	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contract Law Roundup	193W07	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family Law Forum: Surviving in the New Age	193W08	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for Family Lawyers	193W09	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building and Construction Update	193W10	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for In-House Counsel	193W11	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Law Update: New Law, New Strategies	193W12	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for Property Lawyers	193W13	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trust and Deeds Practicum	193W14	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for All Lawyers on 13 March	193W15	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advanced Commercial Litigation Summit	193W16	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for Commercial Litigators	193W17	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Criminal Law Review	193W18	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for Criminal Lawyers	193W19	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retail and Commercial Leasing Guide	193W20	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Duties Act Review	193W21	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contract Law Essentials: Avoiding Risk	193W22	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for Government Lawyers	193W23	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Workers Compensation Roundup	193W24	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dealing with Psychiatric Stress Claims	193W25	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Administrative Law: Migration and its Impact	193W26	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decision Making and Reason Writing	193W27	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Directors and Officers: Duties, Risk and Liabilities	193W28	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corporations Roundup: Fraud, Cartels and Bribery	193W29	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evidence and Advocacy	193W30	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical Negligence Forum	193W31	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business Sales Legal Issues: Negotiating and Documenting	193W32	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mining and Resources: New Law, New Cases	193W33	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mining and Resources: Where the Commercial and Legal Issues Meet	193W34	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercialising IP: Maximising Value	193W35	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Core Competency Areas for All Lawyers on 27 March	193W36	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discrimination Law: This, That, the Other and More	193W37	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costs and Billing: CPD Core Competency Areas	193W38	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wills and Estates Guide: Family Provision Applications	193W39	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family Law: Property Matters	193W40	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE REGISTER ME FOR THESE LIVE ONLINE PROGRAMS

SEMINAR NAME	Code	Std. Price	Early Bird	Live online	Recording
Migration Law Workshop	WEB193W03	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Privacy and Data Security: And the Changes Keep Coming...	WEB193V18	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
In-House Counsel Summit: New Law, Key Updates and Modern Trends	WEB193N05A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Intellectual Property Forum: IP Roundup	WEB193N11A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Film and Television Law Summit	WEB193N23	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: Behind the Scenes	WEB193N23A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: Contracts, Fair Dealing, and Immigration Rules	WEB193N23B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Civil Litigators Practice and Procedure Intensive	WEB193N25	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Migration Workshop: Regional Migration Pathways	WEB193N29	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
CPD Compulsory Units for All Lawyers on 22 March	WEB193N33	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
SMSFs: Strategies for the Modern Era	WEB193N34	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
CPD Compulsory Units for All Lawyers on 26 March	WEB193N37	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Practice, Procedure and the Law of Parliament	WEB193N39	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
PPSA: Changes, Updates and Practicalities	WEB193N40	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Directors and Officers Summit: You Have the Full Support of the Board	WEB193N42	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Shareholder Agreements and Shareholder Recovery	WEB193N43	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Income Protection, Death and Total Permanent Disability (TPD)	WEB193N44	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Mediation Masterclass: Positive Results for Pleased Clients	WEB193N45	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Family Law Practice and Procedure	WEB193N46	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>

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Early Bird Registrations end 21 December 2018