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## What do law teachers need to be taught about teaching?

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# Australasian Law Teachers Association Conference



## Law, Love and Revenge: Themes from *The Merchant...*

4 – 6 July 2018 in Perth, Western Australia



Australasian Law Teachers Association

### ALTA Conference 2018 Program

#### Wednesday 4<sup>th</sup> July 2018

**Welcome Reception Venue:** Curtin University St George's Terrace, 139 St Georges Terrace

15.00-17.00	Executive Meeting at Curtin Law School, 57 Murray Street (Seminar Room 110)
17.00-19.00	Welcome Reception and Registration

#### Thursday 5<sup>th</sup> July 2018

**Conference Venue:** Curtin Law School, 57 Murray Street

8.00	Registration
8.20	Welcome from Conference Chair, Professor Paul Fairall
8.25	Welcome to Country by Nick Abraham
8.45	Official Welcome by Professor Deborah Terry AO, Vice-Chancellor, Curtin University.
8.50-9.30	Keynote speaker (Lecture Room 208) – Emeritus Professor Rosalind Croucher AM FRSA FACLM (Hon) FAAL TEP, President of the Australian Human Rights Commission

<i>Shylock and antisemitism — reflections on the 70th anniversary of the Universal Declaration of Human Rights</i>				
9.35-9.55	Morning Tea - 78 Murray Street			<i>Sponsored by Federation Press</i>
ROOM:	Lecture Room 110	Lecture Room 112	Lecture Room 208	Moot Court
THEME:	'fie upon your law!': law and otherness	'But love is blind': law and the regulation of human relationships <i>Sponsored by Oxford University Press</i>	'Thou shalt have justice': law and social justice	my ducats!': money, mercy and the regulation of commercial relationships
CPD Points	N/A	Competency Area 4: 1.5 Points	Competency Area 2: 0.5 Points Competency Area 4: 0.5 Points	Competency Area 4: 1.5 Points
CHAIR:	Pnina Levine	Hugh Finn	Robert Cunningham	Donovan Castelyn
10.00-10.20	What Do Law Teachers Need to be Taught About Teaching? <i>Jackson Walkden-Brown and Nick James</i>	Vicarious liability and Deatons v Flew: emotion and reason in the HCA <i>Prue Vines</i>	Reasoning with laws: "the law hath yet another hold on you" <i>Craig Duncan</i>	PTSD as a bodily injury: close, but not close enough <i>Charles Giacco</i>
10.20-10.40	Becoming a Law Teacher ... Again <i>Molly Townes O'Brien</i>	The Credibility Rule and Explaining Human Behaviour <i>Amy Begley</i>	Negotiation and consultation regimes when the development of natural resources is proposed on Indigenous lands <i>Margaret Stephenson</i>	When a lease fails to provide protection for commercial landlords and tenants! A case study on the regulation of these relationships after the Canterbury earthquakes <i>Toni Collins</i>
10.40-11.00	"And the other one's a fish": why are lawyers still so reviled in public perceptions? <i>Rick Sarre</i>	Law and Literature - Does the growing field of Law and Literature reflect the development of a new major subject in the law curriculum or is its relevance more as an	The Right to Tax in a Global Polity <i>Mark Bowler Smith</i>	Are Entire Agreement Clauses Entirely Effective? <i>Stephen Graw</i>

		interdisciplinary topic linking law and the humanities?  <i>Emeritus Professor David Barker AM</i>		
11.00-11.20	Access to examination papers: policy, practice and the courts  <i>Patty Kamvounias</i>	'Love Is Love' but that Love Ain't Always Legal: Evaluating the Definition of Marriage Post Same-Sex Marriage Reform in Australia  <i>Sandra Hanna</i>	Neuroplasticity, belief bias and IRAC –old pedagogy but brand-new tools for first year legal education?  <i>Kenneth Yin</i>	Excluding the operation of the statutory prohibition on misleading or deceptive conduct  <i>Matt Berkahn</i>
11.20-11.40	A Critical Evaluation of the Relevance of Design Thinking for Lawyers  <i>Kate Galloway and Nick James</i>	Comparative Law in Chinese Legal Education  <i>Vai Io Lo</i>	Street Law  <i>Mary Anne Kenny and Angie Italiano</i>	E-Commerce: Tax and Consumer Law implications of Goods Warehousing  <i>Dr Prafula Pearce and Prof Dale Pinto</i>
11.40-12.00	What Role for Critically Reflective Teaching to Address the Othering of Indigenous Law Students?  <i>Jeni Engel</i>	Restoring sight: Equity's role in unravelling arrangements made in once loving relationships that become unloving  <i>Penny Carruthers</i>		Is Money the 'Roof of all Evil', or can the BEAR restore trust and confidence in the bank-customer relationship?  <i>Tracey Mylecharane and Prof Sally Wheeler</i>
12.05-13.10	Lunch - 78 Murray St			
13.15– 13.55	Keynote speaker (Lecture Room 208) – Nicholas Hasluck AM, QC, Author and former Supreme Court Judge <i>Degrees of Guilt in the Merchant of Venice</i>			

ROOM:	Lecture Room 110	Lecture Room 112	Lecture Room 208	Moot Court
THEME:	'fie upon your law!': law and otherness	'But love is blind': law and the regulation of human relationships <i>Sponsored by Oxford University Press</i>	'Thou shalt have justice': law and social justice	my ducats!': money, mercy and the regulation of commercial relationships
CPD Points	N/A	N/A	N/A	Competency Area 4: 1 Point
CHAIR:	Margaret Stephenson	Helen Hodgson	Eileen Webb	Hugh Finn
14.00-14.20	Facebook: bridging the 'otherness' of distance legal education <i>Amanda-Jane George</i>	"How far that little candle throws his beams!" – The journey of regional law students after Clinical Legal Education <i>Mandy Shircore</i>	How do international students who are non-law students study Australian law? <i>Patty Kamvounias and Anna Ward</i>	The ACCC's pursuit of corporate respondents in the VET sector now operating under external administration: What hurdles to overcome and will it be worth the effort? <i>Mary Wyburn</i>
14.20-14.40	Is it Possible to Bridge Pākehā (European) and Māori Views on Governing the Nation? Deliberative Democracy as a Tool to Teach Legal Essay Writing in a Māori Development Post-Graduate Class <i>Nadia Dabee</i>	The Heterosexuality of the Law and legal Education in Western Australia <i>Melville Thomas</i>	Law Student Wellness and Digital Disruption <i>Nick James</i>	Assessing the taxing rights of source countries in relation to the remote provision of technical services under tax treaties <i>John Taylor</i>

14.40-15.00	A Brief History of Legal Education: A Battle Between Law as a Science and Law as a Liberal Art <i>Joshua Krook</i>	Law Teachers' Perceptions of Stress at Work: An international comparison <i>Colin James</i>	Is There Justice for First Peoples in Legal Education? The Indigenous Cultural Competency for Legal Academics Program <i>Marcelle Burns</i>	Tarry a little. There is something else. This bond doth give thee here no jot of blood <i>Robert Guthrie</i>
15.05-15.30	Afternoon tea - 78 Murray St			<i>Sponsored by Federation Press</i>
15.35-16.15	Keynote Speaker (Lecture Room 208) – Associate Professor Kieran Tranter, Griffith University <i>Shakespeare, Media and the Future of Law</i>			
18.00-22.00	Conference Dinner – Fraser's Restaurant 60 Fraser Ave, West Perth			

## Friday 6<sup>th</sup> July 2018

**Conference Venue:** Curtin Law School, 57 Murray Street

9.00	Registration			
9.20-10.00	Keynote Speaker (Lecture Room 208) – Mitch Kowalski, University of Calgary Law School <i>Love, Revenge and Caskets: Legal Services and Law Schools in the 21st Century</i>			
10.05-10.25	Morning Tea - 78 Murray St			<i>Sponsored by Thomson Reuters</i>
ROOM	Lecture Room 110	Lecture Room 112	Lecture Room 208	Moot Court
THEME:	'fie upon your law!': law and otherness	'But love is blind': law and the regulation of human relationships	'Thou shalt have justice': law and social justice	'(the) villainy you teach me': law and ethics
CPD Points	Competency Area 3: 0.5 Points	Competency Area 4: 1 Point	N/A	N/A

CHAIR:	Prina Levine	Prafula Pearce	Mostafa Haider	Robert Cunningham
10.30-10.50	<p>'A unity of theory and practice' A snapshot of law in action</p> <p><i>Christopher Shanahan SC</i></p>	<p>But love is... not required: the emerging picture of the important role played by (non-enforceable agreements) in the regulation of surrogacy relationships</p> <p><i>Debra Wilson</i></p>	<p>The place of cultural values, norms and practices in an assessment of unconscionability in commercial transactions: Kobelt v Australian Securities and Investments Commission</p> <p><i>Rachel Yates and Sharmin Tania</i></p>	<p>'Want, Expect, Don't Want': A Pragmatic Student-Centred Learning Technique to Implement in Law Classrooms</p> <p><i>Liam Elphick</i></p>
10.50-11.10	<p>Implementing Interteaching Techniques for Law Teaching</p> <p><i>Elizabeth Shi</i></p>	<p>Using blockchain to resolve disputes</p> <p><i>Alex Sims</i></p>	<p>Legal Information and Technology: Why the contents of Portia's caskets matter more than the caskets themselves</p> <p><i>Craig Duncan</i></p>	<p>An authentic visual constructionist approach to learning the law</p> <p><i>Prof Stephen Colbran</i></p>
11.10-11.30	<p>Succeed, Forget, Repeat: Threshold Concepts And Variation Theory In Understanding How Law Students Build Competency</p> <p><i>Alex Steel</i></p>	<p>Teaching Legal Skills in Evidence and Dispute Resolution: Scaffolding Learning Through Video</p> <p><i>Kathy Douglas</i></p>	<p>Post World War II Icons of Australian Legal Education: Professors David Derham, Hal Wootten, Dennis Pearce and Tom Cain - Do they satisfy the criteria?</p> <p><i>Emeritus Prof David Barker AM</i></p>	<p>Moving Beyond Indigenous Deficit in the Model Admission Rules for Legal Practitioners</p> <p><i>Marcelle Burns</i></p>
11.30-11.50	<p>Non-profit legal services in remote areas need law school collaborations too!</p> <p><i>Judy Harrison</i></p>	<p>The E.U.'s General Data Protection Regulation (GDPR): Comparing Implementation Challenges for American and Australian Firms</p> <p><i>Richard G. Kunkel, J.D</i></p>	<p>Preparing for Practice: Clinical Legal Education through the Lens of Legal Education Discourse</p> <p><i>Jackson Walkden-Brown</i></p>	<p>Law Students' Awareness of University Graduate Attributes</p> <p><i>Leigh Smith and Christina Do</i></p>
11.50-13.15	Lunch - 78 Murray St			

12.00-13.15	ALTA AGM - Moot Court			
13.20-14.00	Keynote Speaker (Lecture Room 208) – Raelene Webb QC, Barrister at Murray Chambers <i>Treaties and Land Governance – Whose Land is it Anyway?</i>			
ROOM	Lecture Room 110	Lecture Room 112	Lecture Room 208	Moot Court
THEME:	'my ducats!': money, mercy and the regulation of commercial relationships	'But love is blind': law and the regulation of human relationships	'Thou shalt have justice': law and social justice	'(the) villainy you teach me': law and ethics
CPD Points	Competency Area 4: 1 Point	Competency Area 4: 0.5 points	N/A	N/A
CHAIR:	Rachel Yates	Mostafa Haider	Sharmin Tania	Anna Bunn
14.05-14.25	Firm 'culture' and corporate governance in Australia: A paradigm shift?  <i>Andrew Clarke</i>	Directors' — Fitness for office  <i>John Orr</i>	What Should We Teach in Criminal Law?  <i>Helen Gibbon and Alex Steel</i>	I Flipped the Law and the Law Won: Flipping the Law Classroom for Higher Level Learning  <i>Kate Offer</i>
14.25-14.45	Assuming the facts – FC of T v Hacon  <i>Robin Woellner</i>	There is a Lady Richly Left... Household Decision Making and the Australian Retirement Income System  <i>Helen Hodgson</i>	"How do we sleep while our beds are burning": Time for Constitutional Reform  <i>Julie Cassidy</i>	With a little help from my friends ...  <i>Jennifer Nielsen</i>
14.45-15.05	Has Law been Blind to Graphics...? The Promise of Graphic Contracts  <i>Camilla Andersen</i>	Do the threshold learning outcomes mandate a teleological account of legal theory? Should they?  <i>Tomas Fitzgerald and Laura Fitzgerald</i>	The suspension of a university staff member – how adequate is the law?  <i>Pnina Levine</i>	The deconstruction of the tort of negligence into its syllogistic elements  <i>Kenneth Yin</i>



15.10-15.35	Afternoon tea - 78 Murray St	<i>Sponsored by Thomson Reuters</i>
15.40-15.50	Pre-Debate Performance – Trial Scene from The Merchant of Venice	
15.50-16.50	<b>Debate: <i>Is Portia a good role model for aspiring advocates?</i> (Lecture Room 208)</b> Professor William MacNeil, Southern Cross University (Chair) Against: Prof Paul Fairall, Claudia Carr, Stuart Shepherd For: Leigh Smith, Meika Atkins, Linda Black	
16.50-17.00	Closing Remarks	
17.00-18.00	Casual closing function hosted by Curtin Student Law Society	

CPD Point Allocation

*Competency Area 2 - Professional Skills*

*Competency Area 2 – Ethics & Professional Responsibility*

*Competency Area 4 – Substantive Law*