What Role can Legal Education Play in Meeting Legal Needs?
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2015 ALTA CONFERENCE ~ PROGRAM
La Trobe Law School City Campus at Level 20, 360 Collins Street

Thursday, 16 July 2015

4.00-5.00pm  Registration
5.00-6.30pm  Welcome Reception

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

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

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

Friday, 17 July 2015

8.00-8.30  Registration and arrival tea/coffee

8.30AM - 12.15PM  Opening Plenary Session  Teaching Room 3/4 and Boardroom

Chair:  Patrick Keyzer

8.30  Welcome to Country

8.45  Welcome to LaTrobe and to the 2015 ALTA Conference

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

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

9.45  Panel Discussion

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

10.15  Morning tea

10.45  Welcome

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

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

What law schools might do to help meet unmet legal needs

The Hon Michael Kirby AC CMG

11.45  Panel Discussion

- John Corker, Director, National Pro Bono Resource Centre
- Peggy Kerd, Lecturer and Clinical Supervisor, LaTrobe Law Clinic
- Chris Gallivan, University of Canterbury

12.15  Lunch and launch of Secretariat for Australian Lawyers for Human Rights by

The Hon Michael Kirby and Nathan Kennedy, President, ALHR
Parallel Session 1A: Burning Issues in Access to Justice (Teaching Room 1)

Chair: Susan Bothmann
Access to justice for asylum seekers
David Manne
Access to justice for prisoners, particularly people in preventive detention
Matilda Alexander
The Aboriginal Disability Justice Campaign
Patrick McGee and Patrick Keyzer
“Lifestyle choices”
Julie Cassidy and Matiu Dickson

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

Chair: Keith Kendall
Problems in Paradise - conscious maladministration in the ATO
Robin Woellner
Determining the duties of the taxpayer adviser to their client under the Tax Agents Services Act and general legal principles
Michael Walpole
ATO access powers - another lost opportunity
Robin Woellner
How the New Zealand anti-avoidance tax rules operate- lessons for Australia?
John Tretola
Back to the Futuris: A tale of maladministration and privilege
John Bevacqua

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

Chair: Nilesh Bilimoria
Legal education and access to justice for claimants to custom land in Solomon Islands and Vanuatu
Don Paterson
Affording a lawyer in Fiji – Confidence level renewed?
Nilesh Bilimoria

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

Chair: Jeffrey Barnes
The pervasive nature of social media: what does this mean for Australian law graduates?
Nussen Ainsworth and Gina Curro
Video production quality and student learning experiences: Using low-cost video lectures to engage non-law students studying law subjects
John Bevacqua
Exploring contract law using digital flashcards
Stephen Colbran, Anthony Gilding, Anthony Marinac, Samuel Colbran, Nauman Saeed
Piazza: Harnessing the wisdom of the crowd
Alexandra Sims

Parallel Session 1E: Clinical Innovations (Boardroom)

Chair: David Wishart
Learning about legal change: Students as Law Reform Commissioners
Judy Allen and Meredith Blake
Access to legal assistance for older adults: Meeting needs through practical legal education
Nola M. Ries and Shaun McCarthy
Designing an Australian Court Internship Program: A case study of the Victoria University Court Internship Model
Nussen Ainsworth

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

Chair:  Marc Trabsky

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

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

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

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

Chair: Frances Gibson

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

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

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

The students will outline their placement and focus on one aspect of their internship experience. The presentations will provide student perspectives on:
- Aboriginal people and justice in regional Western Australia;
- Aspiring to practice in a regional town;
- A Medico-legal network for Geraldton?

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

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

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

Chair: Nilesh Bilimoria

Access to justice in Pacific Small Island Developing States
Jennifer Corrin

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

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

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

Chair: Tobias Barkley

Equity release mortgages in Australia and the United Kingdom
Fiona Burns

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

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

Parallel Session 2E: Commercial Law (Boardroom)

Chair: Jianfu Chen

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

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

Access to justice: the troubled path for victims of illegal phoenix activity
Helen Anderson and Michelle Welsh
Saturday, 18 July 2015

8.30am  Arrival tea/coffee

9.00AM - 10.30AM  Parallel Sessions 3A-3E

Parallel Session 3A: Legal Education - Foundations and Futures (Teaching Room 1)
Chair:  Paula Baron
The four pillars of Australian legal education
David Barker
The death and rebirth of the law textbook
Scott Beattie
Academic leadership – a lost profession?
Heath S Grow and Anona F Armstrong
Developing a law student profile
Lynne Taylor, Ursula Cheer, Natalie Baird, John Caldwell, Debra Wilson

Parallel Session 3B: Equity and Accessibility in Legal Education (Teaching Room 2)
Chair:  Anne Wallace
Multiculturalism and service-learning accessibility
Christine Lee and Michael Spisto
Creating a comprehensive clinical and capstone experience for regional law students
Mandy Shircore
Race and the law: a critical journey for law students
Marcelle Burns and Jennifer Nielsen
Improving (whose) access to justice in residential tenancy disputes: law students v. paralegals
David Wiseman

Parallel Session 3C: Flipping Legal Education (Teaching Room 3)
Chair:  David Wishart
Symposium:  Enhancing active learning in legal education through flipped classes (3 papers)
Kylie Burns (Convenor)
Active learning for student engagement: The Griffith Law School active learning in law network
Kylie Burns, Mary Keyes, Karin Barac, Kate Van Doore, Therese Wilson
Blended learning in the law classroom: design, implementation and evaluation of an intervention in the first year curriculum design
Melissa Castan and Ross Hyams
Flipping the Foundation
Joanne Stagg Taylor

Parallel Session 3D: Competition and Consumer Law (Teaching Room 4)
Chair:  Francine Rochford
Misleading or deceptive conduct: Some questions arising from Godfrey Hirst
Matthew Berkahn and Lindsay Trotman
Changing views concerning ‘competition effects’ in the US, EU and Australia: the Competition Policy
George Raitt
Reformulating section 46 of the Competition and Consumer Act: Understanding the ‘purpose’ and ‘effect’ of the Harper Review recommendations
Brenda Marshall

Session 3E: Online and MOOCs (Boardroom)
Chair:  John Bevacqua
Designing and delivering open law courses using iTunesU
Stephen Colbran
Developing and teaching a MOOC: Lessons and successes
Melissa de Zwart, Dale Stephens, Rebecca La Forgia
Navigating virtual teaching environments
Michael Spisto and Christine Lee

10.30  Morning tea
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<th>Parallel Session 4A: Frontiers of Legal Education (Teaching Room 1)</th>
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<td><strong>Chair:</strong> Marc Trabsky</td>
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<td><strong>Online and beyond!</strong></td>
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<td><em>Stephen Colbran</em></td>
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<td>Educating 'tomorrow's lawyers' cyborgs, avatars or humanists?</td>
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<td><em>Melissa De Zwart and Melissa Castan</em></td>
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<td>Creative thinking – lost in legal education?</td>
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<td><em>Gary Cazalet</em></td>
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<th>Parallel Session 4B: Local Innovations (Teaching Room 2)</th>
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<td><strong>Chair:</strong> John Bevacqua</td>
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<td><strong>Storytelling and media reports: How to engage non-law students in contract law</strong></td>
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<td><em>Tim Miles</em></td>
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<td>Challenges in developing a student placement unit of Social Justice in the Northern Territory: a new program developed by Charles Darwin University Law School</td>
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<td><em>Ros Vickers and Felicity Gerry</em></td>
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<td><strong>Chair:</strong> Jeffrey Barnes</td>
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<td><strong>Learning plagiarism: law students really must be special</strong></td>
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<td><em>Anita Stuhmcke</em></td>
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<td>Assessing the critical thinking skills of law students using a criterion-referenced assessment rubric</td>
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<td><em>Nick James and Kelley Burton</em></td>
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<td>What does teaching, learning and assessment practice look like in law? Information sharing and benchmarking in corporations law</td>
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<td><em>Julian Laurens, Judith Marychurch, Joan Squelch, Alex Steel</em></td>
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<td><strong>Chair:</strong> Patrick Keyzer</td>
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<td><strong>Using actors and lawyers to gain authentic feedback: lessons learned when running a law firm</strong></td>
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<td><em>Kathy Douglas, Belinda Clarence and David Goodwin</em></td>
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<td>Online moots: Leveraging technology to provide greater access and opportunity for meaningful student participation</td>
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<td><em>Vivi Tan and Meghann Clark</em></td>
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<th>Parallel Session 4E: Legal Education for the Digital and Post-Digital World (Boardroom)</th>
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<td><strong>Chair:</strong> David Barker</td>
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<td><strong>Legal research in the post internet era</strong></td>
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<td><em>Terry Hutchinson</em></td>
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<td>An evolving ethical duty of digital competence - implications for the teaching of law</td>
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<td><em>Francine Rochford</em></td>
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12.30pm  Lunch
### Parallel Session 5A: Teaching Statutory Interpretation (Teaching Room 1)

**Chair:** Jacinta Dharmananda  
Statutory interpretation and the theory of constructive alignment  
*Jeffrey Barnes*  
Statutory interpretation and access to justice: text, context and purpose  
*Kate Galloway*  
Constructing curriculum, constructing statutes: addressing the challenges of new curriculum design with context and case studies  
*Maria O’Sullivan and Melissa Castan*

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

**Chair:** Oz Susler  
Developing a model animal law curriculum  
*Nick James and Meg Good*  
Dialogue about dialogue: experience in teaching ‘CopyrightX: Monash’ as part of a Harvard-affiliated global course in US copyright law  
*George Raitt*  
Putting ‘Evidence’ on trial  
*Steven Eley and Aneita Browning*

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

**Chair:** Judy Gutman  
What role can legal education play in meeting legal needs?  
*Florentina Benga*  
An access to justice approach to teaching mediation in legal education  
*Lola Akin Ojelabi*  
Translating norms into actions: a legal perspective on accessing justice under the NDIS  
*Darren O’Donovan*  
Global clinical legal education  
*James Farrell*

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

**Chair:** Paula Baron  
**Symposium:** Making law accessible for first year students (4 papers)  
*Bill Swannie (Convenor)*  
Making law accessible to first year students  
*Bill Swannie*  
Physical attendance on campus and first year law students  
*Nance Frawley*  
Providing effective sustainable feedback to first year law students  
*Cane Mitchell*  
Hearing the student's voice  
*Catherine O’Sullivan*

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

**Chair:** Chris Casey  
Enhancing access to justice: A transformative approach to pro bono programs in legal education  
*Alperhan Babacan*  
Student pro bono: the line between engagement and exploitation  
*Monica Taylor*  
Fostering the potential of future lawyers by nurturing their passion for justice and the law  
*Maxine Evers and Sally Varnham*  
“My team at the Alfred”: the evaluation of the first generalist service available to all patients at a major metropolitan hospital in Australia  
*Liz Bishop and Bebe Loff*

3.00pm Afternoon tea
Parallel Session 6A: First Years and Wellness Part 2 (Teaching Room 1)
Chair: Paula Baron
Intensive mentoring to support retention of first year non-school leaver Justice students: results from a preliminary trial
   Angela Dwyer and Ashleigh Larkin
Unravelling mental distress in law and medical students: A comparative study
   Fiona Burns and Rita Shackel

Parallel Session 6B: Criminal Law Interest Group (Teaching Room 2)
Chair: Emma Henderson
The Problem-Based Learning Curriculum and the teaching of the Criminal Law: a novel approach or a proven method?
   Brianna Chesser and Graham Thomas
Sexsomnia: criminal responsibility and intoxication
   Colleen Davis

Parallel Session 6C: Interesting People Talking about Interesting Things
   (Teaching Room 3)
Chair: Patrick Keyzer
Compensation runout and social security: the plaintiff lawyer’s role
   Prue Vines
Empirical research on the effectiveness of marine stinger warning signs against the public health threat of Irukandji stings inside netted enclosures: A potential for public authority liability in Australia?
   Lynda Crowley-Cyr
Human embryonic stem cell research: science, legality and ethics
   Martina Popa

Parallel Session 6D: Student Engagement, Entry into the Profession, and Challenging Traditional Notions of the Profession
   (Teaching Room 4)
Chair: David Wishart
Student engagement in university decision-making and governance - towards a more systemically inclusive student voice
   Sally Varnham, Bronwyn Olliffe, Ann Cahill, Katrina Waite
“I just want to get in!”: justice as access to the legal profession
   Jane Ching
Process pluralism and legal education
   Judy Gutman, Lillian Corbin, Paula Baron
Smart casual: promoting excellence in sessional teaching in law
   Kate Galloway, Mary Heath, Anne Hewitt, Mark Israel, Natalie Skead and Alex Steel

Parallel Session 6E: Clinical Legal Education
   (Boardroom)
Chair: Susan Bothmann
Clinical legal education: Designing a whole-of-curriculum approach to intentionally teaching and assessing reflective practice
   Kelley Burton
Aligning clinical legal education curriculum with threshold learning outcomes for law; the foundations for teaching and assessing the clinical performance of students in law clinics in Australia
   Gwynn MacCarrick
Hell is other people: Contemplating Seligman on Sartre in the context of clinical legal education
   Rachel Spencer
International students as special needs clients of an on-campus legal advice clinic
   Susannah Sage Jacobson and Tania Leiman