

# The nab



## North Queensland Law Association **CONFERENCE**

24th - 25th of May

# 2013

*“making a difference”*



- PRACTICE MANAGEMENT & BUSINESS SKILLS
- PROFESSIONAL SKILLS
- PRACTICAL LEGAL ETHICS

**10 CPD POINTS**  
INCLUDING 3 COMPULSORY TOPICS

ENDORSED BY:




Photo by Tracey Harrison - Hill Townsville Marina



The North Queensland Law Association  
www.nqla.com.au



# Program Highlights



## THE HONOURABLE JUSTICE SUSAN MARY KIEFEL AC *presents the 2013 JCU Mayo Lecture*



The Honourable Justice Susan Kiefel was appointed to the High Court in September 2007. At the time of her appointment she was a judge of the Federal Court of Australia and the Supreme Court of Norfolk Island. She served as a judge of the Supreme Court of Queensland in 1993–94 before joining the Federal Court. She was admitted to the Queensland Bar in 1975 and was the first woman in Queensland to be appointed Queen's Counsel, in 1987. Justice Kiefel served as a part-time Commissioner of the Australian Law Reform Commission from 2003 to 2007. She has a Masters of Laws degree from Cambridge University and was appointed a Companion in the General Division of the Order of Australia in 2011. Justice Kiefel will be presenting the 2013 JCU Mayo Lecture (*further details under General Information on the back page*).

## THE HONOURABLE CHIEF JUSTICE PAUL DE JERSEY AC



The Honourable Chief Justice of the Supreme Court of Queensland is a stalwart supporter of the NQLA. A graduate of the University of Queensland, from which he was awarded an Honorary Doctorate in 2000, Chief Justice De Jersey's regular contribution to the conference addresses recent news and developments concerning North Queensland's legal profession. We are honoured to have the continued support of the Chief Justice.

## IAN BROWN



Ian is the Vice-President of the Queensland Law Society. He was admitted in 1990 and is a Principal of Maurice Blackburn Lawyers, a Member of the QLS Council Executive, Professional Conduct Committee, Accident Compensation/Tort Law Committee, a Personal Injuries Law Accredited Specialist and past president Australian Lawyers Alliance. Ian is an advocate of ensuring that the QLS delivers quality services in trust accounting, practice management, ethics and professional development to accommodate the specific needs of remote, regional and suburban practitioners.

## EDMUND BON TAI SOON



Edmund Bon specialises in criminal defence, constitutional and administrative law, and public interest litigation. Edmund routinely advises and represents individuals, financial institutions and corporations in a wide variety of criminal cases including commercial crime cases and securities offences. Edmund is an experienced trial lawyer having conducted a myriad of cases under laws such as the Penal Code, Dangerous Drugs Act (including property forfeiture proceedings), Kidnapping Act, Police Act and Securities Industry Act (now repealed). Edmund has appeared as counsel in many leading and high-profile Malaysian cases and is frequently consulted by private clients.

## KEVIN COCKS AM



Kevin Cocks AM was appointed Queensland's Anti-Discrimination Commissioner for a term of four years in February 2011. Kevin holds a Master of Social Welfare, Administration & Planning from the University of Queensland and prior to his appointment was a prominent advocate working for social justice and human rights issues for vulnerable people with disabilities. At local, state and national levels, Kevin made positive contributions to achieve legislative reform towards creating accessible built environments, facilities and public and private transport. Kevin has provided leadership in influencing legislative and policy reform to protect the most vulnerable people with disability at a state and national level. In 2005 Kevin was awarded the Australian Human Rights medal by the Human Rights and Equal Opportunity Commission.

**FRIDAY 24 MAY 2013**

8.30am - 9.00am	<b>Registration</b>
9.00am - 9.25am	<b>Conference Opening</b> Ian Brown - Vice President, Queensland Law Society
9.25am - 9.45am	<b>Address</b> The Honourable Chief Justice Paul de Jersey AC - Supreme Court of Queensland
9.45am - 10.45am	<b>Plenary Session 1</b> <b>Paper: DIVERSITY &amp; EQUALITY IN THE WORK PLACE</b> Kevin Cocks AM - Commissioner of the Anti-Discrimination Commission Queensland

10.45am - 11.05am **Morning Tea** 10.45am - 11.05am



**Commercial Stream**



**Family Law Stream**



**Litigation Stream**

11.05am - 12.00pm	<b>UNINTENDED ADEMPMENT BY AN ATTORNEY AND THE END OF THE RE VIERTEL EXCEPTION</b> Tony Collins - Barrister	<b>SIGNIFICANT &amp; SUBSTANTIAL CHANGE – RICE V ASPLUND</b> Janice Mayes - Barrister	<b>PREPARATION AND PRESENTATION OF SUCCESSFUL APPLICATIONS TO THE COURT</b> The Honourable Justice James Henry SC - Supreme Court of Queensland
12.00pm - 12.50pm	<b>PPSA – A YEAR ON AND COUNTING: WHAT WE HAVE LEARNT</b> Scott Butler - Partner, McCullough Robertson	<b>ADVOCACY IN THE FAMILY COURT</b> The Honourable Justice Peter Tree - Family Court of Australia	<b>NDIS, NIIS: HOW THEY COULD AFFECT COMMON LAW RIGHTS</b> Rod Hodgson - Principal, Maurice Blackburn

12.50pm - 2.00pm **Lunch** 12.50pm - 2.00pm

2.00pm - 2.50pm	<b>ACCESSORIAL LIABILITY OF LAWYERS UNDER THE CORPORATIONS LEGISLATION</b> Dr Tom Middleton - Lecturer, James Cook University	<b>PLUS CA CHANGE... THE DOMESTIC AND FAMILY VIOLENCE PROTECTION ACT 2012</b> Stephen Page - Partner, Harrington Family Lawyers	<b>IS AN ADVICE ON EVIDENCE NECESSARY?</b> Tim Matthews - Barrister
2.50pm - 3.40pm	<b>THE TOP 10 ISSUES IN AGRIBUSINESS TRANSACTIONS IN THE CURRENT ENVIRONMENT</b> Mark Woolley - Principal, McInnes Wilson Lawyers	<b>A TALE OF SEVERAL CITIES – DIFFERENCES IN APPROACH TO RELOCATION CASES</b> Michael Fellows - Barrister	<b>CCTV FOOTAGE AND EXPERT EVIDENCE IN CRIMINAL TRIALS – WHAT ARE THE LIMITS?</b> Justin Greggery - Barrister

3.40pm - 4.00pm **Afternoon Tea** 3.40pm - 4.00pm

4.00pm - 5.00pm	<b>Plenary Session 2</b> <b>THE 2013 JAMES COOK UNIVERSITY MAYO LECTURE</b> <b>SOCIAL JUSTICE AND THE CONSTITUTION: FREEDOMS AND PROTECTIONS</b> The Honourable Justice Susan Kiefel AC - High Court of Australia	
-----------------	--	--

5.30pm onwards **The NQLA Sunset Drinks by the Water** 5.30pm onwards

*Attendance at the "Sunset Drinks by the Water" is complimentary with 2 day conference registration and further tickets are available for purchase.*

**SATURDAY 25 MAY 2013**

8.30am - 9.00am	<b>Registration</b>
9.00am - 9.50am	<b>Plenary Session 3</b> <b>Paper: THE MALAYSIAN RIGHTS PROJECT: KEY TRENDS AND WINS POST 2008</b> Edmund Bon - Partner, Chooi & Company, Malaysia

9.50am - 10.20am **Morning Tea** 9.50am - 10.20am

 <b>Commercial Stream</b>	 <b>Family Law Stream</b>	 <b>Litigation Stream</b>
---	---	---

10.20am - 11.10am	<b>A PANEL DISCUSSION ON ANDREWS v ANZ AND OTHER RECENT CASES</b> The Honourable Justice David North SC - Supreme Court of Queensland Dean Morzone SC - Barrister Tony Moon - Barrister	<b>PROPERTY CASE LAW UPDATE</b> Justine Woods - Partner, Cooper Grace Ward Lawyers	<b>PERSPECTIVES FROM THE P &amp; E COURT</b> His Honour Judge Michael Rackemann & His Honour Judge Stuart Durward - District Court of Queensland
11.10am - 12.00pm	<b>PLAIN ENGLISH DRAFTING</b> Don Fraser QC - Barrister	<b>POST MORTEM ON THE ITALIAN CASE – THE JUDGE'S PERSPECTIVE</b> The Honourable Justice Colin Forrest - Family Court of Australia	<b>VOIDABLE TRANSACTIONS (BANKRUPTCY)</b> Tina Hoyer - Solicitor, Australian Tax Office Michael Brennan - Principal, Offermans Partners



12.00pm - 1.10pm **Lunch** 12.00pm - 1.10pm

<b>Solicitors' Compulsory CPD</b>	<b>Barristers' Compulsory CPD</b>
-----------------------------------	-----------------------------------

1.10pm - 2.20pm	 <b>Compulsory Topic 1 - Queensland Law Society Practical Legal Ethics</b> <b>THE AUSTRALIAN SOLICITORS CONDUCT RULES: YOU SHALL, WILL, MUST?</b> Stafford Shepherd - Senior Ethics Solicitor, Queensland Law Society	 <b>Compulsory Topic 1</b> <b>ETHICS FOR THE BAR</b> Roger Traves SC - President, Bar Association of Queensland Peter Davis SC - Vice President, Bar Association of Queensland
2.20pm - 3.30pm	 <b>Compulsory Topic 2 - Leap Legal Software Practice Management and Business Skills</b> <b>UNLOCK THE PROFIT YOU DESERVE FROM YOUR LEGAL PRACTICE</b> Colin Ritchie - Director, Ritchie Business Solutions	 <b>Compulsory Topic 2</b> <b>ADVOCACY FOR THE BAR</b> Roger Traves SC - President, Bar Association of Queensland Peter Davis SC - Vice President, Bar Association of Queensland

3.30pm - 3.50pm **Afternoon Tea** 3.30pm - 3.50pm

**Solicitors' & Barristers' Combined Compulsory CPD**

3.50pm - 5.00pm	 <b>Compulsory Topic 3 - Offermans Partners Professional Skills</b> <b>BUILDING RESILIENCE FOR LAWYERS</b> Rebecca Michalak - Director, PsychSafe Pty Ltd	
-----------------	--	---

5.00pm **Conference Close** 5.00pm

5.15pm - 6.00pm	<b>NQLA General Meeting</b>
-----------------	-----------------------------

# General Information

## THE NORTH QUEENSLAND LAW ASSOCIATION



nabprivatewealth



The NQLA is a not-for-profit incorporated association run by a voluntary committee consisting of solicitors from Mackay, Townsville and Cairns. Formed in 1959 to meet the needs of a small but growing legal profession in the North, the NQLA is one of the oldest law associations in Australia.

With 400 members from a region covering from Sarina in the south, Mt Isa to the west, and North beyond Cairns, the NQLA provides financial support for each of the Mackay, Townsville and Far North Queensland District Law Associations and actively engages with the various governments and other relevant entities on issues relevant to North Queensland legal practitioners.

The annual NQLA legal conference is the longest running law conference in North Queensland, and is only possible with the support of our members and our generous sponsors, particularly the National Australia Bank.

## THE JAMES COOK UNIVERSITY MAYO LECTURE

The James Cook University Mayo Lecture is an annual law lecture organised and conducted by the James Cook University Law Students' Society in conjunction with the James Cook University Law School in honour of Mrs Marylyn Mayo, the university's foundation law staff member.



The James Cook University Law Students' Society instituted the Mayo lecture in 1991 as a tribute to the work of Mrs Marylyn Mayo in maintaining a law presence at JCU and, ultimately, in establishing North Queensland's first full law degree at the university.

Marylyn began teaching at James Cook University in 1969 and was integral to the formation of a full Faculty of Law at JCU in 1989. Marylyn was the inaugural Head of the new Department and remained in that role until Professor Ken Sutton, the Foundation Professor of Law and Dean took up his position in 1990. Marylyn remained as the Deputy Dean until 1993.

The NQLA is proud to include the 2013 James Cook University Mayo Lecture at the nab NQLA Conference.

## SUNSET DRINKS BY THE WATER



The NQLA will be hosting our 'Sunset Drinks by the Water' at 5.30pm on Friday evening at the Max Hooper Memorial Park, Maritime Museum of Townsville, Palmer Street South Townsville.

Canapes, drinks, live music, great views and great company will be on offer.

Attendance is complimentary to all 2 day registrants, and additional tickets may be purchased.

## ACCOMMODATION

Accommodation at corporate rates is available at, or within walking distance of the conference venue by quoting the corporate codes noted.

**Rydges Southbank** – Rydges Southbank Townsville offers queen, double, executive king suites and self contained two bedroom apartments. Ph: 07 4726 5265, 23 Palmer Street, Townsville. Corporate Code: QLDLAWWEB

**Oaks Gateway on Palmer** – Oaks Gateway on Palmer offers hotel, one & two bedroom apartments. Ph: 4778 9000, 2 Dibbs Street, Townsville. Corporate Code: LEGAL



## ACKNOWLEDGEMENT OF GOLD SPONSORS





# Registration Form



## The nab North Queensland Law Association Conference 2013 24-25 MAY 2013, Rydges Southbank Townsville

Mail QLS  
GPO Box 1785, Brisbane QLD 4001

Fax 07 3221 2279  
(credit card payments only)

Phone 07 3842 5869  
(registration enquiries only)

For enquiries about conference organisation, functions or other arrangements please contact **Gerard 07 4722 0251**

### Delegate Information

First Name

Last Name

Firm/Organisation

Postal Address

City/Town  Postcode

Telephone  Facsimile

Email

Special dietary requirements

Attending as:

- Delegate  Volunteer
- Speaker  Committee Member
- Sponsor

### Sunset Drinks by the Water

Registration for two day delegates includes one ticket to the **'Sunset Drinks by the Water'** held on Friday night.

Tickets are available for purchase for 1 day delegates, partners and local practitioners not attending the daytime program, for \$55 per person (inc. GST)

How many tickets do you require? (if any) .....  
(Please allow \$55 per person (inc. GST) for non-complimentary tickets)

Names of additional attendees (if any)  
.....  
.....  
.....

Do you or anyone attending the 'Sunset Drinks by the Water' with you have any special dietary requirements? Yes  No

If yes, please detail: .....

### Registration Fee (please tick)

#### Non member

- Earlybird 2-day registration (on or before 19 April 2013) **\$760** (incl GST)
- Earlybird 1-day registration (on or before 19 April 2013) **\$510** (incl GST)
- Friday  Saturday
- Standard 2-day registration (on or before 17 May 2013) **\$880** (incl GST)
- Standard 1-day registration (on or before 17 May 2013) **\$575** (incl GST)
- Friday  Saturday

#### NQLA Members

- Earlybird 2-day registration (on or before 19 April 2013) **\$690** (incl GST)
- Earlybird 1-day registration (on or before 19 April 2013) **\$480** (incl GST)
- Friday  Saturday
- Standard 2-day registration (on or before 17 May 2013) **\$810** (incl GST)
- Standard 1-day registration (on or before 17 May 2013) **\$540** (incl GST)
- Friday  Saturday

### Payment

130524R (coursecode)

Please note that full payment must accompany your registration.

Total Payment \$

My cheque payable to Queensland Law Society Inc is enclosed

Please debit my credit card (diners club is **not** accepted)

Visa  Mastercard  Amex

Card #

Name

Expiry Date / /  Amount \$

Cardholder Signature

This document will be a tax invoice for GST purposes when you make payment.

Please retain a copy of this for GST records.

The North Queensland Law Association ABN 33 423 389 441

nabbusiness

nabprivatewealth

