

North Queensland Law Association  
**CONFERENCE**  
16th - 17th of May **2014**

*"making a difference"*



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

**10 CPD POINTS**  
INCLUDING 3 COMPULSORY TOPICS

ENDORSED BY:



# CONFERENCE PROGRAM

## MR IAN BROWN



Mr Brown is the President of the Queensland Law Society. He was admitted in 1990 and is a former Principal of Maurice Blackburn Lawyers, a Member of the QLS Council Executive, Professional Conduct Committee, Accident Compensation/Tort Law Committee, Audit and Investment Committee, a Personal Injuries Law Accredited Specialist and past president Australian Lawyers Alliance. Mr Brown 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.

## 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.

## THE HONOURABLE CHIEF JUDGE JOHN PASCOE AO CVO



Mr John Pascoe was appointed as Chief Judge of the Federal Circuit Court of Australia (formerly known as the Federal Magistrates Court of Australia) in 2004.

John Pascoe is a graduate of the Australian National University and, after admission as a solicitor, became a partner in the legal firm, Stephen Jaques & Stephen (now Mallesons) in 1977. Prior to his appointment as Chief Judge, Mr Pascoe was Managing Director in the national law firm, Phillips Fox. His practice has been in insurance law, risk management and government regulation. He has broad commercial experience, including a period as CEO of a public company and has been Chairman of a number of listed companies and statutory authorities.

Chief Judge Pascoe was Deputy Chancellor and a member of the Council of the University of New South Wales. He is Deputy Chair of the Institute of Early Childhood Foundation and a Patron of the LAWASIA Family Law and Family Rights Section. He is also a member of the Board of Trustees and the Advisory Board for the Cambodian Children's Fund Australia.

He is a former member of the Board of Trustees of the Duke of Edinburgh's Award International Foundation (UK) and is an Honorary advisor and Regional meeting Chairman of the Duke of Edinburgh's Award International Association (Asia Pacific). He is a founding member of the Alumni of the Duke of Edinburgh's Award in Australia.

He was appointed a member in the General Division of the Order of Australia in 1994, an Officer in the General Division of the Order of Australia in 2002 and was awarded a Centenary Medal in 2003. He was appointed a Commander of the Royal Victorian Order in January 2010.

Chief Judge Pascoe has a particular interest in the elimination of human trafficking in all forms but has developed considerable expertise in the area of preventing the trafficking of newly born children.

## MS MALATHI DAS



Ms Malathi Das is a commercial litigation lawyer who heads the litigation and dispute resolution department of Singapore boutique law firm, M/s Joyce A Tan & Partners.

Currently Immediate Past President of international law organisation, LAWASIA, she served 2 terms as its first woman and Singaporean President in its 46-year history. LAWASIA has a strong Asia-Pacific focus on issues concerning the legal profession, human rights, access to justice and capacity-building. She was the only Asian panellist at the United Nations Forum on Business and Human Rights held in Geneva in December 2012 on the role of lawyers. She attended the 2nd UN Forum on Business and Human Rights in December 2013 which focused on providing training to relevant stakeholders. She has also spoken and published on this topic.

Ms Das's links with legal professional bodies and pro bono track record are strong. She served as vice-president at the Law Society of Singapore (LSS) from 2006 to 2010. She serves as Singapore's representative on the Bar Issues Committee on Pro Bono and Access to Justice of the International Bar Association (IBA). In October 2011, Malathi was awarded the Pro Bono Ambassador Award for 2011-2012 by the LSS and has been a Board Member of its Pro Bono Services, Learning and Support Services Management Committee since 2007.

Ms Das writes and speaks extensively on professional responsibility and legal ethics and teaches at post-graduate level at the Singapore Institute of Legal Education, where she is a Senior Fellow. She is also a member of the Board of Governors of the Institute of Technological Education.

**DAY 1 - FRIDAY 16 MAY**

8.30am - 9.00am	<b>Registration</b>
9.00am	<b>Welcome to Country</b>
9.00am - 9.25am	<b>Opening Address from QLS President</b> Ian Brown, President of the Queensland Law Society
9.25am - 9.50am	<b>Opening Address from Chief Justice</b> Chief Justice Paul de Jersey AC, Supreme Court of Queensland
9.50am - 10.50am	<b>PLENARY SESSION 1</b> <b>Paper: Surrogacy, Trafficking and the Rights of Children</b> Chief Judge John Pascoe AO CVO, Federal Circuit Court of Australia

**10.50AM - 11.10AM MORNING TEA**



**Family Law Stream**



**Litigation Stream**



**Commercial Stream**

11.10am - 12.00pm	<b>STANFORD'S CASE AND RECENT DEVELOPMENTS</b> Paul Glass, Barrister	<b>THE AGREEMENT AND THE PLEADINGS</b> Justice James Henry, Supreme Court of Queensland	<b>TRUST, FAITH &amp; PIXIE DUST: THE MAGIC OF INSOLVENT TRUSTEES</b> Michael Brennan, Principal at Offermans Partners <b>TRUST RESETTLEMENTS FOLLOWING CLARK'S CASE</b> Ann Stratikopoulos, Senior Manager at BDO Australia
12.00pm - 12.50pm	<b>THE OTHER HAGUE CONVENTION: DEALING WITH INTERNATIONAL RELOCATIONS</b> Janice Mayes, Barrister	<b>CONTEMPORARY TRENDS TOWARD WRITTEN EVIDENCE</b> Dean Morzone QC, Barrister	<b>COURT-MADE WILLS</b> Caite Brewer, Barrister

**12.50PM - 2.00PM LUNCH**

2.00pm - 2.50pm	<b>A FAMILY LAW PLENARY SESSION AND PANEL DISCUSSION</b> Speakers: Chief Judge Pascoe AO CVO, Judge Willis, Judge Coker, Judge Cassidy, Judge Dunkley <i>All of the Federal Circuit Court of Australia</i>	<b>SHOULD I SIGN THE REQUEST FOR TRIAL DATE? AN OVERVIEW OF WHETHER THE CASE IS REALLY READY FOR TRIAL</b> Tim Matthews QC, Barrister	<b>RURAL SUCCESSION PLANNING</b> Renee Bennett, Partner at Wilson Ryan Grose
2.50pm - 3.40pm		<b>DISHONESTY UNDER SS 184 &amp; 1185 OF THE CORPORATIONS ACT</b> Tony Collins, Barrister <b>CHANGES TO THE WORKCOVER LEGISLATION</b> Andrew Philp QC, Barrister	<b>OPPRESSIVE CONDUCT UNDER S232 OF THE CORPORATIONS ACT</b> Damian O'Connor, Partner at Gadens

**3.40PM - 4.00PM AFTERNOON TEA**

4.00pm - 5.00pm	<b>PLENARY SESSION 2</b> Mayo Lecture
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**5.00PM ONWARDS SUNSET DRINKS BY THE POOL**

8.30am - 9.00am  
**Registration**

9.00am - 9.45am  
**PLENARY SESSION 3**  
**The United Nation Guiding Principles on Business and Human Rights: How lawyers can do well by doing right**  
Malathi Das, Joyce A. Tan & Partners and Immediate Past President of Law Asia - Singapore

**Family Law Stream**

**Litigation Stream**

**Commercial Stream**

9.45am - 10.30am  
**LATEST AND GREATEST IN EACH JURISDICTION**  
Justice Benjamin of the Family Court of Australia  
Judge Purdon-Sully of the Federal Circuit Court of Australia

**SOCIAL MEDIA AND DISCLOSURE**  
Margaret Brain, Special Counsel at Maurice Blackburn Lawyers

**THREE LEASING QUESTIONS ANSWERED (RECENT CASES)**  
Warren Denny, Partner at K & L Gates

**10.30AM - 10.50AM MORNING TEA**

**Solicitors' Compulsory CPD**

10.50am - 11.50am  
**COMPULSORY TOPIC 1**  
**Professional Ethics**  
**ETHICS REGARDING SOCIAL MEDIA**  
Margaret Jolly, Margaret Jolly Consulting



**Barristers' Compulsory CPD**

**COMPULSORY TOPIC 1**  
**ETHICS FOR THE BAR**  
Peter Davis QC, President of the Bar Association of Queensland and Shane Doyle QC, Vice-President of the Bar Association of Queensland



11.50am - 12.50pm  
**COMPULSORY TOPIC 2**  
**Practice Management and Business Skills**  
**BULLYING IN THE LEGAL WORKPLACE**  
Jim Brooks, Principal at Jim Brooks, Lawyer



**COMPULSORY TOPIC 2**  
**PRACTICE MANAGEMENT AND BUSINESS SKILLS FOR THE BAR**  
Peter Davis QC, President of the Bar Association of Queensland and Shane Doyle QC, Vice-President of the Bar Association of Queensland



**12.50PM - 2.00PM LUNCH**

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

2.00pm - 3.00pm  
**COMPULSORY TOPIC 3**  
**Professional Skills (Advocacy)**  
**WAIVER OF PRIVILEGE BY INADVERTENT DISCLOSURE**  
Tracy Fantin, Barrister



3.00pm -  
NQLA Committee Member Elections

**5.00PM CONFERENCE CLOSE**

7.00pm - for 7.30pm  
Carbolic Smoke Ball, Pullman Cairns International

# GENERAL INFORMATION

## THE NORTH QUEENSLAND LAW ASSOCIATION



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 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. This year we are pleased to announce that our long-standing Platinum Sponsor, Offermans Partners, have strengthened their relationship with the NQLA and the legal profession in North Queensland by becoming our Naming Rights Sponsors for 2014.

## 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 first teacher of law and inaugural Dean of the Law Faculty.



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 2014 James Cook University Mayo Lecture at the Offermans Partners NQLA Conference.

## SUNSET DRINKS BY THE POOL



The NQLA will be hosting our 'Sunset Drinks by the Pool' at 5.30pm on Friday evening on the Pool Deck of the Pullman Cairns International. Canapes, drinks, live music, great views and great company will be on offer. Attendance is complimentary to all Friday only and 2 day registrants. Additional tickets may be purchased.

## ACCOMMODATION

There is an abundance of quality accommodation in the Cairns CBD within 10 minutes' walk of the conference venue. Accommodation is also available at the conference venue itself. The NQLA has been able to negotiate a discounted rate for delegates and speakers. You can take advantage of this rate by advising you are booking for the NQLA Conference. Rates are as follows:

### City Mountain View

\$169.00 room only  
\$189.00 inc Breakfast for 1  
\$209.00 inc Breakfast for 2

### Harbour View

\$169.00 room only  
\$189.00 inc Breakfast for 1  
\$209.00 inc Breakfast for 2

### Premium Harbour View

\$209.00 room only  
\$229.00 inc Breakfast for 1  
\$249.00 inc Breakfast for 2

Please book early to avoid disappointment as May is a busy time of year for conventions and conferences in Cairns.

## ACKNOWLEDGEMENT OF GOLD SPONSORS



nabprivatewealth



# OFFERMANS PARTNERS NQLA 2014 CONFERENCE REGISTRATION FORM

**16-17 MAY 2014, PULLMAN CAIRNS INTERNATIONAL**  
17 Abbott St, Cairns Qld 4870

**Mail** The Treasurer, North Qld Law Association  
c/o BCK Lawyers, PO Box 1099, Townsville QLD 4810

**Phone** 07 4046 1188  
(registration enquiries only)

**Online** www.nqla.com.au  
(credit card or EFT Payments only)

For enquiries about conference organisation, functions or other arrangements please contact Thomas Cameron **07 4046 1188**

## DELEGATE INFORMATION

First Name	
Last Name	
Firm/Organisation	
Postal Address	
City/Town	Postcode
Telephone	Facsimile
Email	
Special dietary requirements	

## SOCIAL FUNCTIONS (INCL GST)

### Sunset drinks by the pool

Registration for Friday only or two day delegates includes one ticket to the cocktail party held on Friday night.

Will you be attending the cocktail party?  Yes  No

### Additional tickets

Tickets are available for purchase for Saturday only delegates, partners and local practitioners not attending the daytime program, for \$50 per person.

Would you like any additional tickets to the cocktail party?  Yes  No

If yes, what is the name of the person who will be attending?

Do you or anyone attending the cocktail party with you have any special dietary requirements?  Yes  No

If yes, please detail:

### Carbolic Smoke Ball

Black Tie Ball, Sebel Grand Ballroom  
\$125.00 (Not included in any conference registration package)

How many tickets do you require?

If you have an accompanying person, please provide their name here:

Do you, or anyone attending 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 3 April 2014) **\$780** (incl GST)  
 Earlybird 1-day registration (on or before 3 April 2014) **\$530** (incl GST)  
 Friday  Saturday
- Standard 2-day registration (on or before 9 May 2014) **\$900** (incl GST)  
 Standard 1-day registration (on or before 9 May 2014) **\$595** (incl GST)  
 Friday  Saturday

### NQLA Members

- Earlybird 2-day registration (on or before 3 April 2014) **\$710** (incl GST)  
 Earlybird 1-day registration (on or before 3 April 2014) **\$500** (incl GST)  
 Friday  Saturday
- Standard 2-day registration (on or before 9 May 2014) **\$830** (incl GST)  
 Standard 1-day registration (on or before 9 May 2014) **\$560** (incl GST)  
 Friday  Saturday

**PLEASE ENSURE THAT YOU ADD ANY APPLICABLE COSTS FOR SOCIAL FUNCTIONS WHEN CALCULATING THE TOTAL AMOUNT PAYABLE.**

## PAYMENT

Please note that full payment must accompany your registration.

Total Payment \$

- My cheque payable to NQLA 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

