

2020

**AUTUMN CPD
SEMINARS**

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PROGRAMME**

Seminar	Date, Time and Venue	Details	CPD Competency Area
1	<p style="text-align: center;">Monday, 9 March 5:00 pm – 6:00 pm Level 25 Francis Burt Chambers</p>	<p style="text-align: center;"><i>US Presidential Impeachment: the process, the outcome, the lessons</i></p> <p>In December 2019, a President of the United States was impeached for just the 3rd time in history. In February 2020, the United States Senate acquitted the Forty Fifth President of the charges laid by the Congress, having resolved against calling any witnesses. What happened? Why did the Congress and the Senate make the decisions they did? What implications does this have for the impeachment process more generally, which is the exclusive means of removing Federal Judges, amongst others, in the United States? To the extent that the Australian Constitution draws, often heavily, from the United States Constitution, what may we learn? Jason MacLaurin SC and Richard Douglas propose answers to these questions.</p> <p>Speakers: Jason MacLaurin SC Richard Douglas Chair: The Honourable Justice Quinlan, Chief Justice of Western Australia</p>	1 point Substantive Law
2	<p style="text-align: center;">Wednesday, 11 March 5:00 pm – 6:00 pm Level 25 Francis Burt Chambers</p>	<p style="text-align: center;"><i>Statutory Unconscionability after ASIC v Kobelt [2019] HCA 18</i></p> <p>Speaker: Nunzio Lucarelli QC, Victorian Bar & Interstate Member of WABA Chair: Alain Musikanth SC</p>	1 point Substantive Law
3	<p style="text-align: center;">Thursday, 12 March 5:00 pm – 6:00 pm Level 25 Francis Burt Chambers</p>	<p style="text-align: center;"><i>“Who? Me?” – a guide to dealing with complaints made against you to the LPCC</i> <i>“Yes. You” – a guide to acting for practitioners who are the subject of complaints to the LPCC</i></p> <p>Speaker: John Ley SC Chair: Patricia Cahill SC</p>	1 point Practice Management

4	<p>Thursday, 19 March 5:00 pm – 6:00 pm Level 25 Francis Burt Chambers</p>	<p><i>Virtue, Honour and Ethics: Problems with a Deontological Perspective on the Ethical Responsibilities of Lawyers</i></p> <p>Speaker: The Honourable Justice Colvin Chair: Marcus Solomon SC</p>	1 point Ethics and Professional Responsibility
5	<p>Tuesday, 24 March 5:00 pm – 6:00 pm Level 25 Francis Burt Chambers</p>	<p><i>Unravelling Corporate Fraud: re-purposing ancient laws for modern times</i></p> <p>In 14th-18th century England, common law torts such as deceit, injurious falsehood, passing off, and rescission for fraudulent misrepresentation, all developed to address various manifestations of commercial fraud. Equitable fraud provided relief where common law fraud could not be proven. It comprises a wide array of doctrines including misrepresentation, unconscionable dealing, undue influence, pressure, estoppel, knowing receipt and assistance and breach of fiduciary duty. Initially, this combination of laws provided significant protection against commercial fraud, imposing major remedial and reputational costs on wrongdoers. Regrettably, these ancient laws have now lost their sting. From the outset, the doctrines aimed to regulate serious commercial wrongdoing. However, courts were also concerned to protect natural individuals from unmerited and overly crushing personal civil liability, which often attracted custodial consequences. Thus, courts demanded clear evidence of high levels of personal culpability on the part of defendants accused of fraud. Australia's common law, equitable and statutory principles that regulate serious commercial misconduct continue to reflect that ancient heritage. But the traditional focus on a culpable state of mind has made proving fraud in all its varieties against the modern, complex corporation hugely complicated, expensive and often impossible. Is it time to stop anthropomorphising the corporation and re-purpose these ancient doctrines for modern times?</p> <p>Speaker: Professor Elise Bant, UWA Law School Chair: TBC</p>	1 point Substantive Law
6	<p>Monday, 30 March 5:00 pm – 6:00 pm Level 25 Francis Burt Chambers</p>	<p><i>Witness Summaries Not Statements: The New World Order</i></p> <p>The new regime for oral evidence in chief has been in place for almost a year now. How is it going? How is the bench finding it and how are counsel finding it?</p> <p>Let's have an exchange of observations and ideas!</p> <p>Speakers: The Honourable Justice Martin The Honourable Justice Archer Chair: Julie Taylor SC</p>	1 point Professional Skills

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REGISTRATION PAPER/TAXATION INVOICE

ABN 18 712 427 306

Name						
Chambers						
Registration Fees (GST inclusive)						Option
						Please tick option
Option 1	Attendance at all Seminars					\$500
Option 2	Attendance at individual Seminars					\$100 per seminar
Please tick seminar/s	1	2	3	4	5	6
Payment Options						Please tick payment option
Cheque	Please make payable to " <i>Western Australian Bar Association</i> "					
EFT	BANK: ANZ, Level 1, 79 St Georges Terrace, Perth ACCOUNT: WA Bar Association BSN: 016 002 ACCOUNT NO: 421807654 <i>NB: Please ensure you include your name on your EFT payment and that you return your registration paper to the WABA.</i>					
Please return this form to: Western Australian Bar Association GPO Box C122, PERTH WA 6839 Email: kknox@wabar.asn.au						
CPD	The WABA is an accredited QA Provider. Refer to Programme for allocation of competency areas and points.					
Cancellation	Refund of 50% of fee if cancellation notified in writing 72 hours before conference.					
Privacy Statement	The WABA may provide information on attendance to the Legal Practice Board.					

