



# **LAWS5509/5510 ADVANCED LEGAL RESEARCH Work-in-progress Research Conference**

**Moot Court  
UWA Law School  
The University of Western Australia**

**Friday 13 August 2021**

### **Acknowledgement of country**

The University of Western Australia acknowledges that it is situated on Noongar land, that the Noongar people remain the spiritual and cultural custodians of their land and continue to practise their values, languages, beliefs and knowledge. We pay our respects to their elders past, present and emerging.

## Overview

The Advanced Legal Research (ALR) conference provides a forum for research students to present their work in progress (WIP). Through a supportive forum, we aim to:

- Foster a supportive and inclusive legal research culture at UWA Law School;
- Engage academic and adjunct staff, enrolled and other research students; and
- Provide constructive feedback to presenters on their research projects and learning journey presented.

The WIP Conference also provides networking opportunities throughout the day and all presenters and attendees are invited to attend Dean's Drinks at the conclusion of the Conference to continue discussions.

## Purpose

All ALR students are required to present on their research projects and learning journey. In addition, other research students completing research projects in the UWA Law School are invited to present on their projects. This provides an opportunity for students to build their presentation skills, reflect on their learning journey, and receive valuable feedback beyond their supervision team.

## Programme for 2021

In 2021 student research topics traverse a broad range of theoretical and applied legal research areas. These include public and private law, socio-legal and policy-oriented research as well as comparative and international analyses. The presentations have been grouped into sessions, but many projects cross several of these areas.

## Presentation format

The programme has been divided into five separate sessions each chaired by a member of academic staff. The format involves:

- Presenters may use any **documents/AV/IT** they wish including PowerPoints, handouts, polling or other technologies which should be uploaded in the Moot Court before the Conference commences;
- Each presentation will be a maximum of **20 minutes**, followed by **5 minutes of Q&A** on the specific presentation;
- In addition, there will be a short time for further **discussion** at the end of each panel session.

## Conference Venue

The one-day colloquium will be held in the **Moot Court** in the **UWA Law School building** on the main Crawley campus (G.06 in building 338). A map is set out below and at <https://www.web.uwa.edu.au/contact/map>. If there are any difficulties on the day, please contact **Erika Techera - 0416 224 644**.



Moot Court

8.30-9.00am	<b>Venue opens and presenters arrive to upload materials</b>
9.00am	<b>Welcome and Opening</b> <i>Erika Techera</i>
9.00-10.40am	<b>Session 1 – The Executive, democracy and public law</b> <i>Chair: Julie Falck</i> <ul style="list-style-type: none"> <li>• <a href="#">Rupert Williamson</a> – “The Scope of the Executive Fettering Doctrine” (supervisor Murray Wesson)</li> <li>• <a href="#">Izzy Philip</a> – “The War on the Separation of Powers: Judicial Power After <i>Benbrika</i>” (supervisor Sarah Murray)</li> <li>• <a href="#">Adehlia Ebert</a> – “Defamation and democracy: how could the subjective reasonableness criterion of the public interest defence advance political speech in Australia?” (supervisor Michael Douglas)</li> <li>• <a href="#">Pragya Srivastava</a> – “Potential Inconsistency with the Separation of Powers? Balancing in Australian Constitutional Law” (supervisor Murray Wesson).</li> </ul>
10.40-10.50am	<b>BREAK</b>
10.50-12.10pm	<b>Session 2 – Legal implications of new technologies</b> <i>Chair: Camilla Andersen</i> <ul style="list-style-type: none"> <li>• <a href="#">Rhys Weaver</a> – “Legal Innovation Around Wearable Data Through Athlete Collective Bargaining Agreements” (supervisor Julia Powles)</li> <li>• <a href="#">Julia Symons</a> – “Does Australian law distinguish between ‘patients’ and ‘consumers’ in liability for implantable medical devices?” (supervisor Marco Rizzi)</li> <li>• <a href="#">Noelle Martin</a> – “Photorealistic Human Avatars in Every Pocket: The Legal, Social and Ethical Implications of Facebook Reality Labs” (supervisor Julia Powles)</li> </ul>
12.10-1.30pm	<b>Session 3 – Is law achieving its social and policy goals?</b> <i>Chair: Kate Offer</i> <ul style="list-style-type: none"> <li>• <a href="#">Zam Golestani</a> – “The Consequences of Frustration: Good or Ill?” (supervisor Sagi Peari)</li> <li>• <a href="#">Amelia Ikin</a> – “Availability of Rectification Damages When There Is No Intention to Cure the Default” (supervisor Nicholas Tiverios)</li> <li>• <a href="#">Bremer Moore</a> – “The Availability of Negotiating Damages in Australia” (supervisor Felicity Maher)</li> </ul>
1.30-2.00pm	<b>LUNCH</b>
2.00-3.20pm	<b>Session 4 – Developments in remedies</b> <i>Chair: Melanie O’Brien</i> <ul style="list-style-type: none"> <li>• <a href="#">Julian Sanders</a> – “Musical copyright in a land Down Under: does Australia’s infringement enquiry effectively promote its underlying policy objectives?” (supervisor Jani McCutcheon)</li> <li>• <a href="#">Alex Hamilton</a> – “Exploring the application of <i>doli incapax</i> in protecting Aboriginal youth with fetal alcohol spectrum disorders from criminalisation in Western Australia” (supervisor Harry Blagg)</li> <li>• <a href="#">Claudia Sosin</a> – “Continental Shelves in the Antarctic Treaty System Area South of 60°S: Implications for Resource Management” (supervisor Philipp Kastner)</li> </ul>
3.20-3.40pm	<b>BREAK</b>
3.40-5.00pm	<b>Session 5 – Perspectives on industry and corporate law</b> <i>Chair: Dominic Dagbanja</i> <ul style="list-style-type: none"> <li>• <a href="#">Alex McCracken</a> – “Misleading Conduct and Corporate States of Mind: Insights from Australian Civil Penalties Jurisprudence” (supervisor Elise Bant)</li> <li>• <a href="#">Yutong Wu</a> – “A comparison of gender discrimination in the resource industry in Australia and China” (supervisor Melanie O’Brien)</li> <li>• <a href="#">Brianna Steinochr</a> – “Does the tax treatment of rehabilitation expenditure for hard rock mining in Western Australia incentivise rehabilitation of mine sites?” (supervisors Ian Murray and John Southalan)</li> </ul>
5.00-6.00pm	<b>Dean’s Drinks</b>