

A professional development event for teachers
of Legal Studies and Commerce



E : BE 2016 LEGAL UPDATE CONFERENCE



Update and deepen your knowledge in relation to the legal issues in the Legal Studies and Commerce syllabuses by hearing from experts in the legal world and legal educators.



Friday 25 November 2016, 8.50am – 4.00pm

**Venue: NSW Parliament House,
Macquarie Street, Sydney**

Session Presenters –

Margaret Cuneen, SC – NSW Senior Crown Prosecutor

Mark Tedeschi, AM QC – NSW Senior Crown Prosecutor

Chrissa Loukas, SC – Public Defender

Richard McDonald, Senior Sergeant – Coordinator in Charge of the Professional Development and Support Unit for Police Prosecutions Command

Nick Clark, Chief Executive Officer – Rule of Law Institute of Australia

Daniela Giorgi, Civics and Citizenship Officer – NSW Parliament House

Joe Alvaro, Head of HSIE Department and Legal

Studies Teacher – De La Salle College, Revesby Heights

See over for full program details and registration



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E:BE 2016 LEGAL UPDATE CONFERENCE

Friday 25 November 2016, NSW Parliament House, Macquarie St, Sydney

CONFERENCE PROGRAM

8.30 – 8.50	Registration	Networking, Organisation/Publisher Displays, Pick up free resources, Coffee/Tea	
8.50 – 9.00	Joe Alvaro Conference Convenor/ President – EBE NSW	Opening and Welcome	
9.00 – 10.00	Session 1 Margaret Cunneen, SC	The Justice of the Jury System This session will look at the role of juries in the criminal trial process and evaluate the effectiveness of the jury system in achieving justice for offenders, victims and society.	About the presenter: Margaret Cunneen SC is a New South Wales Barrister whose career spans more than 40 years. She holds a Bachelor of Laws and an LL.M (Hons.). Cunneen worked as a legal clerk while studying for her Bachelor of Laws at what was then the NSW Institute of Technology (NSWIT), part of the first cohort of students in the Faculty of Law. "I started Law at NSWIT the same day I started work in the NSW Attorney General's Department," she recalls. "I'd turned 18 less than a month before." Both her university degrees were completed at night. Since her appointment as NSW Crown Prosecutor in 1990, Cunneen has brought the weight of justice down on some of the nation's most notorious criminals, including paedophile Robert 'Dolly' Dunn, gang rape ringleader Bilal Skaf, the 'Butcher of Bega' Graeme Reeves, and Paul Peters – dubbed 'the Collar-Bomber'. Cunneen is a firm believer in humanity and conscience in the practice of the law. "My motivation," she explains, "has always been to give a voice to the traumatised victim of crime, or to his or her bereaved relatives, whose human rights have been violated in the most direct fashion, by the criminal act of another."
10.00 – 11.00	Session 2 Richard McDonald, Senior Sergeant – Coordinator in Charge of the Professional Development and Support Unit for Police Prosecutions Command	Never put your ticket on the line for anyone This session will cover a brief history of police prosecutors, where they came from, how they were established, how they have evolved and what types of matters they prosecute. The session will include a few personal anecdotes and high profile matters that the presenter has been involved in. The session will also discuss the professional and ethical obligations of a police prosecutor, such as the obligations and duties as officers of the court, duty to call witnesses, the Director of Public Prosecutions Guidelines in relation to the decision to prosecute, NSW Police Force Withdrawal Guidelines, and how the role of police prosecutor role fits into the New South Wales Barristers Rules, and the Professional Conduct and Practice Rules.	About the presenter: Richard has been a sworn police officer since May 1999. During that time he performed various roles, including General Duties at Blacktown, Criminal Investigations in Cabramatta and Fairfield, Crime Agencies (now State Crime Command), and Professional Standards. He joined NSW Police Service Legal Services (as it was) in February 2003 and was admitted to practise as a Solicitor in the Supreme Court of NSW in February 2004. Richard graduated as a Police Prosecutor in April 2004 prosecuting mainly in Campbelltown, Liverpool, Parramatta, in both the Local and Children's Court. He has performed the role of Head of Court, and Area Prosecutor Coordinator at Liverpool, Campbelltown, and Bankstown. Richard has also represented the NSW Police Force in the District and Supreme Courts in Bail and Appeal matters in addition to acting as a Legal Consultant in the Civil Law Division (now the Office of General Counsel). He also teaches and mentors trainee prosecutors within the Prosecutor Education Program (PEP) lecturing on Professional Standards and Ethics and the Confiscation of Proceeds of Crime (CoPoCA). Currently Richard is the Senior Sergeant, Coordinator in charge of the Professional Development and Support Unit for Police Prosecutions Command. In that role he provides a range of legal services to police prosecutors and operational police of all ranks, and oversees the Appeals Unit, Witness Liaison Unit and the Accelerated Prosecutor Recruitment Program (APRP). Richard was the Chairperson of the Police Prosecutions Branch of the Police Association of NSW from 2007 to 2013. Between 2010 and 2012 he served on the Executive of the Police Association of NSW representing 1000 members including Police Prosecutions Command, Forensic Services Group, Special Services Group, and Traffic Services Group (now Traffic and Highway Patrol Command).
11.00 – 11.20	Morning Tea	Networking, Organisation/Publisher Displays, Pick up free resources	

11.25 – 12.10	Session 3 Daniela Giorgi, Civics and Citizenship Officer – NSW Parliament House	The NSW Parliament: Ideas and Resources for Teaching about the Democratic Process In this session participants will visit the Legislative Chambers and explore the decision making process in a representative democracy. The tour will include the history, role and function of the Legislative Assembly and Legislative Council, the role of Parliamentary Committees and information about visiting the NSW Parliament House with students.	About the presenter: Daniela Giorgi is the Civics and Citizenship Officer for the NSW Department of Education, seconded to the Parliamentary Education Section at the NSW Parliament House.
12.15 – 1.00	Session 4 Nick Clark, Chief Executive Officer – Rule of Law Institute of Australia	The Rule of Law and Enforcing Human Rights This session will discuss domestic and international case studies which show how the law protects human rights, promotes compliance and punishes non-compliance with international law, and the ways in which the rule of law can be used as an ethical standard by which we measure the effectiveness of human rights protections.	About the presenter: Nick Clark is the Chief Executive Officer for the Rule of Law Institute of Australia (RoLIA). He is a secondary school teacher who started out teaching English and History but was drawn to Legal Studies and the social sciences, and joined the RoLIA staff in early 2012. He is passionate about access to justice and making resources that help students at all levels understand the law.
1.00 – 1.30	Lunch Networking, Organisation/Publisher Displays, Pick up free resources		
1.35 – 2.20	Session 5 Joe Alvaro, Head of HSIE Department and Legal Studies Teacher – De La Salle College Revesby Heights	What's been happening in the Australian legal system? Let's update the textbooks The legal system is constantly changing and it is critical that Legal Studies teachers keep up with the changes so as to keep the subject current for their students and increase student learning outcomes. This session will provide a student friendly update on recent developments in the Australian legal system in the areas of legislation, government policy and cases and relate them to various sections of the Legal Studies and Commerce syllabuses.	About the presenter: In 2016 Joe Alvaro entered his 21st year as a professional educator. He obtained his Bachelor of Education from The University of Sydney. Joe has taught Legal Studies and Commerce in both government and non government schools in NSW and also has overseas teaching experience in China. He is currently Head of Department – HSIE at De La Salle College Revesby Heights and teaches Legal Studies there. He is also the Law Society of NSW Inter-School Mock Trial Competition Coordinator at the school. Joe designs and teaches HSC Legal Studies Preparation courses for HSC students at The University of Sydney. He has marked the external NSW Higher School Certificate Legal Studies examination. Joe sits on the Board of Economics and Business Educators NSW and also serves as President of this organisation. He is the author of "Legal Studies – Book A" (User Friendly Resources) and "Legal Studies – Book B" (User Friendly Resources). Joe has written teaching and learning programs for Legal Studies at a school and regional level, designed commercial trial HSC Legal Studies examinations and authored articles for professional journals in the social sciences. He has convened and presented at numerous conferences for teachers of Legal Studies and Commerce. Joe served on a Citizens' Police Jury in 2014. The City of Sydney Council, in conjunction with the NSW Government, tasked the jury with the following remit: "How can we ensure we have a vibrant and safe Sydney nightlife?".
2.20– 3.05	Session 6 Chrissa Loukas, SC	Who are the Public Defenders? Legal Studies teachers are required to teach about legal personnel in the Legal Studies syllabus, including Public Defenders. Who are they and what role do they play in our criminal justice system? This session will be presented by a current public defender from the NSW Department of Justice.	About the presenter: Chrissa Loukas SC is a Barrister and Public Defender. Chrissa was called to the Bar in December 1989, appointed a Public Defender in 1995 and appointed Senior Counsel in 2012. From 2003 to 2006 she was Defence Counsel at the International Criminal Tribunal for the Former Yugoslavia (ICTY). Chrissa is currently on the executive of the Bar Council of the Bar Association. Her previous appointments include Acting District Court Judge (1996) and Judicial Member, Administrative Decisions Tribunal (1997–2003). Chrissa is the recipient of the Woman Lawyer of Achievement Award, presented by the Women Lawyers Association of New South Wales, 2002 and the Senior Barrister Award, Lawyers Weekly, Women in Law Award, 2013, Melbourne. Notably, she appeared in the High Court in 2014 in the matter of <i>CMB v Attorney General of NSW</i> (2015) 317 ALR 308, (2015) 89 ALJR 407 where the appeal from the Court of Criminal Appeal was allowed and the matter remitted to the Court of Criminal Appeal. <i>CMB</i> is an important decision for two significant aspects of the criminal law in New South Wales. Firstly, in relation to the residual discretion in Crown Appeals and secondly, in relation to the issue of the disclosure of unknown guilt and s 23 of the <i>Crimes (Sentencing Procedure) Act</i> 1999 (NSW).

3.05 – 3.50	Session 7 Mark Tedeschi, AM QC	Murder at Myall Creek: the trial that defined a nation In 1838, eleven convicts and former convicts were put on trial for the murder of 28 Aboriginal men, women and children at Myall Creek in the Liverpool Plains district of northern New South Wales. It was the most sensational trial of mass murder in Australia's legal history. The eleven perpetrators had been led by a twelfth man, John Fleming, whose influential family owned vast properties in the area, which enabled him to evade justice. The trial created enormous controversy at the time, because it was virtually unknown for Europeans to be charged with the murder of Aboriginals. This session will be relevant for the "Crime" and "Human Rights" topics in the Legal Studies syllabus.	About the presenter: Mark Tedeschi AM QC is the Senior Crown Prosecutor for New South Wales. He is a Visiting Professor at the University of Wollongong, a member of the Board of Directors of the National Art School in Sydney, and a Trustee of Sydney Grammar School. His most recent true crime book is "Murder at Myall Creek: the trial that defined a nation". The other two are: "Eugenia: a true story of adversity, tragedy, crime and courage", published in 2012 and "Kidnapped: the crime that shocked the nation" published in 2015. "Eugenia" was shortlisted in 2013 as a finalist in the Australian Book Industry Awards and the Australian Crime Writers Association Ned Kelly Awards. Mark is also the author of "Shooting around Corners", a book of his photography over 25 years, published by Beagle Press in 2012.
3.50 – 4.00 Conference Close Lucky door prizes, Certificates, Evaluation forms			

NOTE: The conference begins at 8.50am and ends at 4.00pm. Conference delegates will be required to commit to the whole conference in order to gain the full PD hours available by attending the conference and to receive a certificate.



Economics and Business Educators NSW through the Professional Teachers' Council NSW – Board of Studies, Teaching and Educational Standards (BOSTES) (formerly the NSW Institute of Teachers) as the endorsed provider of Institute Registered professional development for the maintenance of accreditation at Proficient, Highly Accomplished, and Lead levels.

Scope of Endorsement

- All Standards of the Australian Professional Standards for Teachers at the level of Proficient and Highly Accomplished
- Standards 1–7 of the Australian Professional Standards for Teachers at the Lead level

Completing the Legal Update Conference, 25 November, 2016 will contribute 5 hours, 50 mins of QTC Registered PD addressing 7.4.2; 6.2.2 from the Australian Professional Standards for Teachers towards maintaining Proficient Teacher Accreditation in NSW



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