

2021 SEMINARS

CURRENT LEGAL ISSUES



BAR ASSOCIATION
OF QUEENSLAND



THE UNIVERSITY
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2021 Seminar Series

The Bar Association of Queensland, the University of Queensland, Queensland University of Technology and the Supreme Court Library Queensland are pleased to announce the Current Legal Issues Seminar Series for 2021.

The seminar series seeks to bring together leading scholars, practitioners and members of the judiciary in Queensland and from abroad to discuss key issues of contemporary significance.

DATE	PRESENTER	CHAIR	COMMENTATOR
Seminar 1: Forensic Evidence in Criminal Proceedings: The Main Problems with Australian Responses to Forensic Science and Medical Evidence			
Thursday 10 June 2021	Professor Gary Edmond, <i>University of New South Wales</i>	The Hon. Justice Peter Applegarth AM, <i>Supreme Court of Queensland</i>	Saul Holt QC, <i>Barrister</i>
Seminar 2: Common Law Relief from Penalties: When Did it All Begin?			
Thursday 5 August 2021	Dr Peter Turner, <i>University of Cambridge</i>	The Hon. Justice David Jackson, <i>Supreme Court of Queensland</i>	Professor Warren Swain, <i>University of Auckland</i>
Seminar 3: Religious Freedom, Religious Discrimination and the Role of the Law			
Thursday 7 October 2021	Professor Carolyn Evans, <i>Vice-Chancellor and President, Griffith University</i>	The Hon. Justice Sarah Derrington, <i>Federal Court of Australia, President, Australian Law Reform Commission</i>	Professor Patrick Parkinson AM, <i>TC Beirne School of Law, The University of Queensland</i>

10 June - Seminar 1: Forensic Evidence in Criminal Proceedings: The Main Problems with Australian Responses to Forensic Science and Medical Evidence

Presenter Professor Gary Edmond, *University of New South Wales*

Abstract Sensitive to enduring legal commitments and values, but drawing directly upon scientific research and advice, this paper will explain what is required to present, contest and evaluate forensic science and medicine evidence in criminal proceedings. It will identify areas of Australian legal practice that are curiously inconsistent with scientific recommendations and discuss these anomalies. Using examples, the paper will explain why some prevailing legal approaches to forensic science and medicine are misguided and suggest ways in which practice might be improved so that legal uses are more consistent with the recommendations of mainstream scientists.

5 August - Seminar 2: Common Law Relief from Penalties: When Did it All Begin?

Presenter Dr Peter Turner, *University of Cambridge*

Abstract The beginnings of curial relief from contractual penalties have drawn the attention of counsel and judges in modern litigation on the penalty doctrine. Roots have been traced to the activities of the old Court of Chancery and to the more obscure activities of the common law courts at Westminster - chiefly the King's Bench. The earliness of common law intervention has influenced how appellate courts in Australia and England have stated the penalty doctrine for current times. This talk will consider when common law relief from penalties began, and the bearing those origins have on the pleading and decision of cases today.

7 October - Seminar 3: Religious Freedom, Religious Discrimination and the Role of the Law

Presenter Professor Carolyn Evans, *Griffith University*

Abstract Religious freedom and freedom from discrimination on the basis of religion are well-established rights in the international law and many jurisdictions have a substantial case-law that examine both of these rights, including the tensions between them. While some limited forms of these rights are protected in the constitution, to date there has been a relatively limited case law in Australia. With the developments of statutory bills of rights and increased social tensions between secular and religious Australians, however, the law is increasingly being asked to step into conflicts that involve religion. What can we learn from the Australian case law to date and from other similar jurisdictions that can help Australian courts and legal policy makers with the complex issues that arise in this realm?

PARTICIPANTS

The series in 2021 is a collaboration between the Bar Association of Queensland, University of Queensland, Queensland University of Technology and the Supreme Court Library Queensland.

AIMS

The series seeks to bring together leading scholars, practitioners and members of the Judiciary in Queensland and from abroad, with a view to:

- providing a forum for the critical analysis and discussion of current legal issues
- bringing to bear upon those issues the different perspectives offered by leading members of the academy, the profession and the judiciary
- forging stronger links between academic and practising lawyers in Queensland

FORMAT

Each seminar will comprise a chair, speaker or co-speaker, and commentator.

The chair will introduce the speakers and commentator. A paper will then be presented by a leading practising or academic lawyer.

CPD

Attendance at each seminar qualifies barristers for 1.5 CPD points in Substantive Law.

WEBSITE

Details of all seminars, papers, and speaker biographies, are available from the CLI series website: <https://law.uq.edu.au/current-legal-issues-seminars>

TIME

Registration: 5.00pm - 5.15pm.

Seminar: 5.15pm - 6.45pm, followed by refreshments.

VENUE

The Banco Court, Queen Elizabeth II Courts of Law, 415 George Street, Brisbane.

Seminars will be followed by a drinks reception in the foyer.

REGISTRATION

To register online for the seminar, please go to CPD/Events at <https://qldbar.asn.au/#/cpd-events>

For further information please contact the CPD team:

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PLEASE NOTE

If members are feeling unwell, are displaying COVID-like symptoms, have been overseas in the last 14 days, or have been in close contact with someone who is a confirmed COVID case, they will not be permitted to attend this event in person.



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