

A TULS PUBLICATION

ADVOCATUS

COMMENTARY AND MATERIALS

2023 EDITION



Pettifogger

The Third Issue



IN THIS ISSUE

- Update on National Competition and the ANS condition
- Exclusive interviews with members of the Law Family on their own and their careers
- Reference: Summer Issue

Week 7, 2023
Summer Legal Experience

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The Orientation Issue



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- Degree structure
- Electives
- First year units
- Welfare tips
- Student societies

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A Note From the Editors

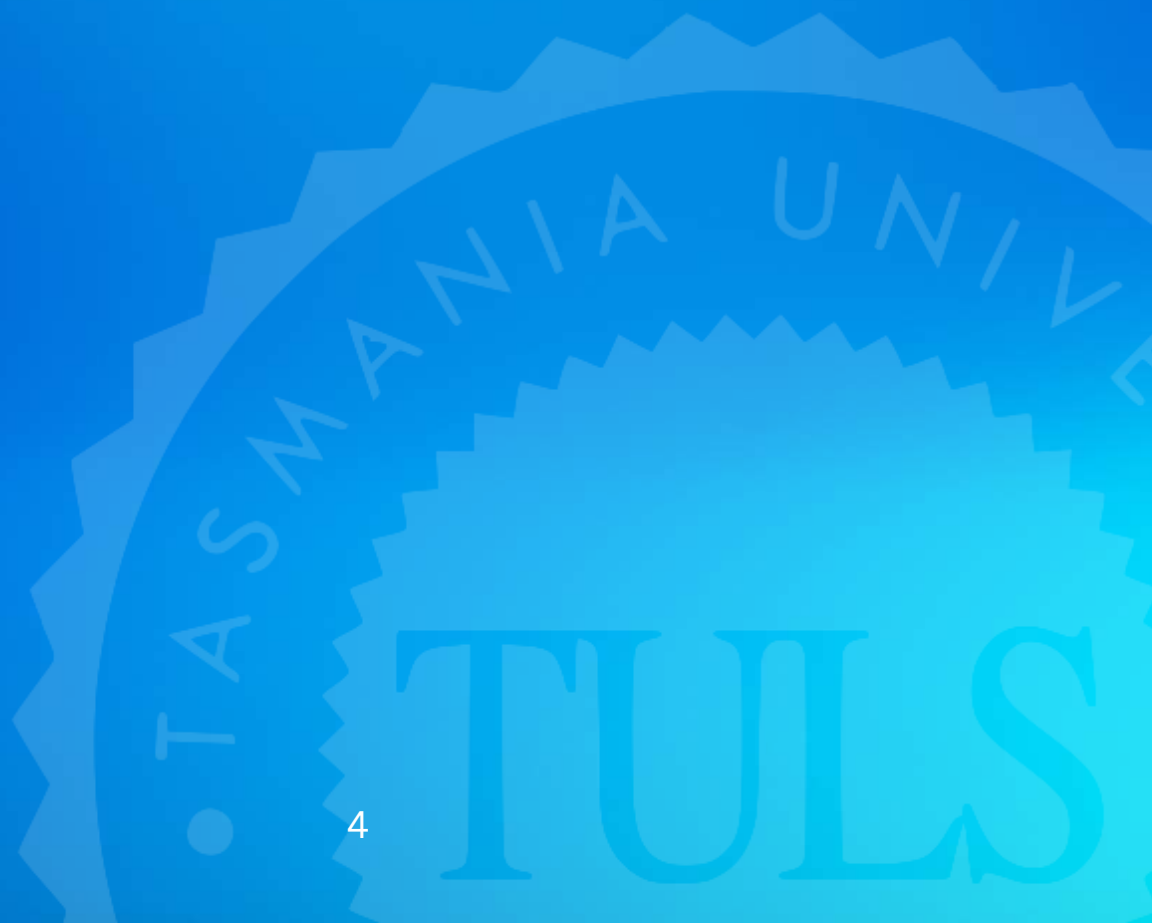
We hope you enjoy reading the 2023 Advocatus in addition to all of this years publications! Thank you to the TULS committee and everyone who has made a contribution over the year. This concludes Jo and Zack's work as TULS Publications Officers. Congratulations to you all for finishing another year of uni, and especially to the final year students who are graduating. We wish everyone a relaxing university break, and good luck to Darcy and James who will be taking over the Publications portfolio in 2024! xoxo Zack and Jo





Student Societies

2023 has been an amazing year for the law school's many student societies. Hear all about the activities of each society in the following reflective pieces.



2023 TULS Committee

President - Lucy Milne

Vice President Activities - Natalie Size

Vice President Education - Miles Kahles

Vice President Sponsorship - Esther Chai

Secretary - Amie Myhowycz

Treasurer - Jackson Cacciatori

Careers Directors - Gloria Jeziel and Reuben Gregg-McQueen

Competitions Directors - Ava Drew, Mia Grant and Bec von Samorzewski

Social Justice and Equity Officers - Laura Harrison and Olivia Bellchambers

Publications Officers - Zack Stephenson and Josephine Palmer

Social Media and Marketing Officer - Jesse James

International Student Officer - Shadhini Kuruvita Aratchy

Welfare Officer - Matilda Grant

Sports Representative - Holly Struwe

First-year representative - Brigitte Fountain and Birgitta Albans

Second-year Representative - Claudia Balmforth

Third-year Representative - Sarah Adkins

Fourth-year Representative - Phoebe Winter

Fifth-year Representative - Isabella Waters

President's Farewell

Lucy Milne



As we come together to celebrate another year of achievements, growth, and camaraderie, I am honoured to address you as the President of the Tasmania University Law Society (TULS). Before we delve into the incredible accomplishments of this year, let us pause to acknowledge and pay our respects to the traditional owners and custodians of the land on which we stand. TULS remains steadfast in its commitment to fostering an environment that deeply respects and acknowledges Aboriginal perspectives, culture, language, and the ongoing fight for Aboriginal justice.

TULS, founded in 1959, has woven itself into the rich tapestry of the law school's history, becoming an integral part of the close-knit, supportive environment our student body embodies. Personally, TULS has been a transformative force in my journey, opening doors and opportunities that I never thought possible. From my early days as the second-year representative to my current role, TULS has shaped my law school experience in profound ways.

This year, we've witnessed not only growth but a surge in engagement and participation across all portfolios—a true testament to everyone's hard work. Our Law Ball saw over 200 patrons, the Careers Fair welcomed 72 participants, the Women in Law Breakfast brought together 52 students, faculty staff, and legal professionals, and our Mooting Workshops consistently drew impressive numbers. This remarkable increase in participation speaks volumes about the dedication and commitment of our TULS community.

None of this would be possible without the tireless efforts of our committee. To Birgitta, Brigitte, Claudia, Sarah, Phoebe, Isabella, Holly, Matilda, Zack, Josephine, Jesse, Laura, Olivia, Shadhini, Ava, Rebecca, Mia, Emily, Ijaz, Kuku, Gloria and Reuben—thank you for your unwavering dedication.

To our executive committee, your diverse contributions have been invaluable. Jack's economic acumen, Amie's accountability to TULS, Esther's no-nonsense attitude, Miles' lighthearted perspective, and Natalie's event planning prowess have collectively steered TULS to new heights. I would also like to thank Emily who took up the mantle of Secretary in semester one and we wish you all the best as you continue the role in 2024.

Here's to TULS, a beacon of resilience, growth, and community in the world of law education. I want to congratulate the incoming 2024 committee and I cannot wait to see what you all achieve under the leadership of Mia Grant.

To the 2023-24 graduating class, heartfelt congratulations on reaching this remarkable milestone in your academic journey! Today marks not only the culmination of years of dedication and hard work but also the beginning of a new and exciting chapter. In reflecting upon your time at the Law Faculty of UTAS, I hope that TULS has had some form of impact on your time at law school. For me, TULS has been more than a society; it's been a catalyst for forging connections, fostering a supportive community, and enhancing the law school experience and I hope that it has had a similar impact on you all. May all your future endeavours be fruitful and exciting, I'm sure you're all going to achieve amazing things. I hope you always remember your time at the UTAS Law Faculty.

Committee Reflections

2023 has been a fantastic year for TULS! Our committee have been able to offer law students incredible social opportunities such as Law Cocktail and Law Ball, competitive opportunities, including internal and intervarsity competitions, social justice opportunities such as the Women in Law Breakfast, and sporting opportunities, including campus sport Basketball and Futsal, and a victory in the Interfaculty Shield! In addition to enjoying each of these events, I love loved every second of my time on TULS. Every meeting on a rainy Tuesday night, every journey up to the TUSA building to collect barbeques, and every early Sunday morning to set up tables! Each and every member of the TULS Committee in 2023 has been dedicated and enthusiastic, and I thank them so much! I think that the Committee will be left in a good place heading into 2024. In particular, Tasmania hosting the ALSA conference offers the incoming Committee an opportunity to get very involved, and I wish them all the best!



Jack Cacciatori
Treasurer



Amie Myhowycz
Secretary

As Secretary, my main role on TULS was to keep the committee organised and up to date on meetings and events! I loved this as it allowed me to see how much TULS contributes to the Law School and see all the hard work that goes into everyone's portfolios. Being the Secretary during my year on TULS and working closely with the TULS Executive was a great experience to learn from more senior law students, which I am very grateful for. This role was a huge challenge for me, especially in relation to the re-drafting of the TULS Constitution and elections, but reflecting on my time in the role, I am proud of how much I've grown and can't wait for another year with TULS!

In my role as Vice President of Sponsorship and Marketing, I actively engaged with both new and existing sponsors. In the current year, I have established connections with 16 legal sponsors and 37 business sponsors. The aspect of my position that I've found most rewarding is the opportunity to forge connections with a diverse array of individuals, both within the TULS committees and our external partners and sponsors. A particular standout for me has been the collaborative effort involved in ensuring the success of numerous events and publications. In this regard, I want to extend my heartfelt appreciation to the exceptional TULS committee of this year, whose dedication and tireless efforts have been instrumental in making 2023 a resounding success.



Esther Chai
**Vice President
Sponsorship and
Marketing**

The Vice President of Education at TULS acts as the primary point of contact between staff and students regarding education-related concerns. My primary goals are to disseminate information about units, ensure staff at the law faculty are aware feedback as to their teaching and address student complaints/concerns. In doing this, I attend Teaching and Learning Committee ('TLC') meetings, publish elective guides and conduct student surveys. I also organise peer-assisted learning opportunities for several core law units through the Student Success Initiative ('SSI'). I have greatly appreciated fostering closer relationships with the staff at the law faculty this year, whether it be through the TLC or with my honours supervisor, Tim McCormack. It has been a great pleasure to get to know so many wonderful individuals at varying stages of their careers, learn about their journeys and connect. I also enjoyed my last law ball (thanks Nat!) and receiving awards confirming my notoriety around the law faculty (at least among students). Finally, I love the camaraderie and competition of campus sport, even in sports where I am not quite as proficient as I might think. Thank you to everyone who has played a part in this year.



Miles Kahles

**Vice President
Education**



**Reuben
Gregg-McQueen**
Careers Director

I was careers director alongside Gloria for semester 2 2023. Throughout the semester, I attended many TULS events, and made lots of friends around the law school. As careers director, I was able to directly communicate with people in the legal profession, and this helped me practice my communication skills, but also allowed me to make connections in the industry. One highlight of the semester was organising a panel event with in-house lawyers, where students were given the opportunity of learning about an area of law that is often overlooked at University! Overall, being on TULS was a great experience, and I highly recommend the role of careers director, especially for those who don't mind replying to lots of emails!

As one of the Career Directors, I truly enjoyed doing the podcast and learning of all the opportunities that are available for law students. I enjoyed being able to work with my fellow director and the rest of the committee to provide some support for the cohort. It was truly amazing being able to represent our student body even if it was just for one semester. I also really loved being able to host law ball for a second year in a row, and being able to have a lovely send off with everyone in the faculty. This has been an insane year academically, so it has truly been a pleasure to be on TULS and find some balance in it all. Thank you for the opportunity and go legal eagles!



Gloria Jeziel
Careers Director

As the 2023 First-year reps we represented our cohort by attending weekly meetings and TULS events. We planned a first-year law event and participated in a range of events, including uni open day, career fairs, faculty sports, and more! We also kept our year group up to date by posting in our designated Facebook page and giving updates in lectures. The highlight of the year was by far law camp as it was a great opportunity to meet new people and create friendships, especially right at the beginning of the year. Towards the end of the year, the law ball was a big highlight. It was a fun and great way to finish our first year at uni, by seeing everyone dressed up and dancing the night away!



**Birgitta Albans and
Brigitte Fountain**
First-year representatives



Claudia Balmforth
Second-year Rep

In my role as the Second Year Rep, I had the opportunity to take on various responsibilities that directly impacted the second year cohort! I had the pleasure of organising the second year event, which took place at the Republic Bar. It was a fantastic evening, and I'm proud to say that everyone had a great time, creating lasting memories and fostering a sense of community among our second year peers. In addition to this, I also served as a point of contact for all second year students. I was readily available to address any concerns or feedback, ensuring that the voices and needs of our cohort were heard and considered by lecturers and tutors. I love that we have created a little community and many friendships have flourished. Overall, my role as the second-year rep was super fun and I thoroughly enjoyed getting to know each and every second year student at the law school.

This year, as your Third Year Rep on TULS, I advocated for any of my cohort's concerns, made sure they were up to date with all the events and opportunities available to them and hosted a really fun social event. I found it really rewarding to support third year students throughout this year. It was so great seeing so many third years at TULS events and making the most of the opportunities shared to them!



Sarah Adkins
Third-year Rep

In 2023, I was the 4th Year Representative on TULS. My role involved being the voice for the 4th year cohort, and organising and facilitating the Law Undergraduate Mentor Program (LUMP)! Throughout the year, I was an advocate for student concerns related to subjects and processes, and worked alongside the other Year Representatives to resolve any issues that arose. I really enjoyed my time as 4th Year Representative, particularly being able to witness the strong relationships and friendships formed by those taking part in LUMP. It was great to work alongside the 2023 committee, and I look forward continuing to serve on TULS in my capacity as VP Education in 2024!



Phoebe Winter
Fourth-year Rep



Laura Harrison

**Social Justice and
Equity Officer**

For the second semester of 2023, I was one of the two social justice and equity officers for TULS. Our major role for this semester was to organise and host the Women in Law breakfast. We had two speakers; Yvette Cehtal and Regina Weiss who delivered inspiring speeches on their experiences as women in law and all the incredible women they met along the way, as well as where they see the future heading. I really enjoyed working as a team with Olivia to plan this event and to have the opportunity to provide an inspirational event for the UTAS students. I have also enjoyed being a member of TULS for the first time. I have met new people, learnt new things and relished being a part of a community working to support other students.

I loved working in the role of Social Justice and Equity Officer in 2023! I was lucky enough to assist in organising and hosting TULS' annual Women in Law Event. This year we held a breakfast event which was a success and well received by the student body and legal professionals that attended. At our event we heard inspiring speeches from both Yvette Cehtel (the CEO of Women's Legal Service Tasmania) and Regina Weiss (a former prosecutor for war crimes and crimes against humanity at the ICC), discussing gender inequalities specific to legal practice, as well as those that are prevalent in the broader community, and what we can do to make the workplace more inclusive and equal in the future! My favourite thing about being on TULS this year was the opportunity to work with Laura and the wider TULS committee. I have really enjoyed connecting with other people in relation to social justice issues and I'm keen for another great year in the Law Faculty in 2024!



**Olivia
Bellchambers**

**Social Justice and
Equity Officer**

This year as the International Students Officer of TULS for 2023 has been an amazing one. I am grateful to have been able to work with and alongside the international students of the law school and the wonderful TULS 2023 committee. There were three main events that happened under the International Students Officer portfolio this year. The first of these was the Law International Student Welcome Event which took place at the beginning of semester 1. This event provided a great kick start to the year and was a great opportunity for all new and returning law international students to meet with each other. The second event was the Asian Australian Lawyers Association (AALA) Mentorship Launch event. This mentorship program was launched for the first time in Tasmania this year. Finishing off the year, the last international student event of the year was the much-awaited Law International Students Dinner. I have truly enjoyed the experience of being the representative of the international students in the law school and having events to bring the law international student community together. Overall, this year has been a successful year.



**Shadhini
Kuruvitaaratchy**
**International
Student Officer**



Matilda Grant
Welfare Officer

In 2023, as the Welfare Officer at TULS, my role has been focused on improving the well-being of law students. I've enjoyed providing resources and events that address their physical, mental, spiritual, and financial health. This year, I particularly liked facilitating "Cuppas and Chats" sessions with practicing lawyers, organising the "Mindfulness Circuit" in collaboration with the Tasmanian Legal Practice Course, and raising awareness about financial health through presentations by Legal Super. My personal favourite was organising the mindfulness painting session, inspired by Dean Gino Dal Pont, which gave everyone a chance to unwind and exhibit their creativity. Most importantly, I've cherished pursuing my passion for student welfare and enhancing the student experience in our faculty. I'm looking forward to continuing these efforts next year!

STAY TRUE.



Amna Parvez
Lawyer, 2022
Graduate Program

Staying true to your direction is what defines Clayton Utz.

We've built a very special culture that sets our firm apart - but don't just take our word for it.

A good lawyer needs compelling evidence - so hear what Amna has to say about her experience with us.

WE DO.

Working as a graduate lawyer at Clayton Utz

I came into law from a health science background and did not know the legal industry as well as most law students. So, when it came to clerkships applications, I felt quite lost about which firms to apply to. I found large commercial law firms intimidating and wondered whether they would be the right fit for me. Further, I found the clerkship application process of many firms to be strenuous and anxiety inducing which also shied me away. I applied for a clerkship at Clayton Utz because a fellow law student was working at the firm as a paralegal at the time and had a very positive experience. Clayton Utz had a pleasantly simple application process and provided thorough support during the interview stage by appointing each interviewee a buddy. I was fortunate enough to be offered a position in 2020's Summer 1 Clerkship Program.

Summer 1 Clerkship Program Experience

As a clerk, I was warmly welcomed by the people at Clayton Utz. Everyone was friendly and had a down to earth personality. I was given interesting and challenging tasks and provided plenty of support and feedback. I did not feel intimidated or out of place at all as I had feared I would. After my clerkship, I continued at Clayton Utz as a paralegal in 2021 and then started as a graduate lawyer in 2022.

Graduating and Starting as a Lawyer at Clayton Utz

Graduates at Clayton Utz start their career with a two-week PLT workshop and a week-long orientation program that is attended by all national graduates. My orientation program occurred during the COVID-19 border closure period, so I attended my orientation in Perth. However, graduates normally go to Sydney for orientation week. During orientation week graduates spend plenty of time together which really kickstarts team bonding and work friendships. This makes the graduate social events and daily work life a lot more fun. Some of the social events my graduate cohort attended included a paint and sip class, mini golf and graduate dinners.

Practice Areas and International Opportunities

Clayton Utz is a leading independent Australian law firm. However, it has strong working ties with many international law firms and clients. This makes Clayton Utz lawyers well equipped for international working opportunities and external secondments. The Perth office has a wide range of practice areas including Commercial Litigation, Restructuring and Insolvency, Corporate M&A & Capital Markets, Real Estate, Environment & Sustainable Development, Banking and Finance, Workplace Relations, Employment & Safety and Major Projects & Construction – there is something for everyone! These practice areas open doors for graduates and lawyers to transfer their career into any sector and direction.

Graduate Program Structure

What sets the Clayton Utz graduate program apart from others is that it offers graduates three six-month rotations instead of the industry standard of two rotations. Graduates who have an interest in a wide variety of areas of law or those who are looking to explore their options are well suited for this type of structure. My first rotation was in Restructuring and Insolvency, a practice group for which Clayton Utz is the industry leader. Currently I am on my second rotation in Major Projects and Construction where I have worked with many international clients. Both rotations have involved incredibly fulfilling work with hard working and motivated team members.

Dedication to Pro Bono Work

Another reason why Clayton Utz stands out for me is because of its dedication to pro bono work. Currently, Clayton Utz is the only leading Australian law firm with a separate Pro Bono practice led by a Pro Bono Partner. It is also the law firm that consistently provides one of the highest pro bono contributions in the industry each year. As a graduate, I was given a pro bono matter to work on. I was also seconded to Law Access to provide pro bono legal assistance to the not-for-profit. I really value this dedication to vulnerable members of the community and take pride in the pro bono services of the firm.

Overall, my time at Clayton Utz for the past 2.5 years has been incredibly rewarding and enjoyable. It has significantly changed my perspective of what it is like to work at a large commercial law firm. I highly recommend everyone to apply for a clerkship at Clayton Utz.



claytonutz.com/graduates

COMET

Esther Chai, President



What is Community Engagement Tasmania (COMET)?

COMET is a social justice initiative that aims to empower disadvantaged youth through legal education. COMET General Representatives (University of Tasmania law students) run workshops at schools and youth shelters in the Greater Hobart area on a range of civil and criminal law topics including employment law, drug offences and communication technologies. COMET workshops are designed to assist youth to make informed decisions, and participants are encouraged to consider the legal consequences of their actions. COMET is a practical way for law students to use and expand their legal knowledge whilst making a positive difference at a grassroots level.

COMET in 2023

In 2023, COMET has achieved remarkable milestones, thanks to the outstanding efforts of our dedicated team of 20 General Representatives. Their unwavering commitment has translated into the success of 17 impactful school sessions.

Additionally, COMET has brilliantly orchestrated two fundraising events that have left a lasting impression. In the first semester, we hosted the highly engaging COMET Quiz Night, drawing participation from roughly 90 enthusiastic individuals. This event garnered rave reviews, with attendees discussing it for weeks afterward. Later in the year, during the second semester, we organized a Guest Panel Night with the theme 'Youth Justice.' Featuring a panel of esteemed experts, including Deputy Chief Magistrate Michael Daly, Chair of Prisoners Legal Service Greg Barns, and Eleanor, a representative from Troublesmiths, an organization dedicated to helping at-risk youth. The event fostered meaningful discussions on Youth Justice, which all of us on COMET are extremely grateful for their amazing insight into the topic. Both events proved to be resounding successes.

The outstanding achievements of COMET in 2023 have not gone unnoticed, as we proudly received the 'Community-based' Award from the Tasmanian University Student Association. This recognition acknowledges the exceptional work done by COMET throughout the year.

Behind these accomplishments, our remarkable executive team deserves immense praise and credit. As the president, I want to express my heartfelt gratitude to the following individuals for their unwavering dedication and invaluable service to COMET in 2023:

- Shadhini Kuruvita-Aratchy (Vice-President)
- Natalie Size (Secretary)
- Jackson Cacciatori (Treasurer)
- Jesse James (General Representatives Coordinator)
- Marisa Gillam (Education Officer)
- Emily Heathcote (School Liaison Officer)
- Mia Grant (Sponsorship and Marketing Officer)



Their contributions have been instrumental in making COMET's success in 2023 a reality.

SEALS

Mia Partridge, President



The Student Environment and Animal Law Society ('SEALS') has had such a fantastic year. Some highlights were: our Franklin movie collaboration event with the Environment Society, several Cuppa and Chat sessions at Ciano's where we chatted with wonderful people working at the University and also from the greater community about their career paths and their passion for the environment, a bushwalk hosted with the Bushwalking Club and Environment Society along the Organ Pipes track on our gorgeous Kunanyi/Mount Wellington, a workshop on the UNFCCC Conference of Parties hosted by Matthew Stilwell that SEALS ran in collaboration with the International Justice Initiative, and a bustling Environmental Careers Expo hosted in collaboration with the Environment Society, the Biological Sciences Club, the Planning Society, the Bottom of the Earth Society, and the Geology Society. Engaging in so many collaborative events was really fun and gave SEALS members a chance to meet new people with similar interests and passions. Thank you to the 2023 SEALS executive for the hard work you put in to organise these events throughout the year, and thank you to all of our enthusiastic and supportive members and faculty staff at the law school for coming along to our events. The 2024 SEALS executive has just been elected and I truly believe the spirit of SEALS will continue to flourish with many more wonderful events to come.



LEGAL PRAC IN REVIEW 2023

FEB

SKILLS WORKSHOP

Trainees jumped straight into the Course with appearances in the Supreme Court and Magistrates Court and not to mention our 2 day Skills Workshop! day

MAR

NORTH WEST COAST TRIP

Trainees headed to the NWC to take a behind the scenes tour of the Devonport Magistrates Court, participate in a panel discussion and attended drinks and dinner with the profession!

MAY

MEDIATIONS

Trainees participated in simulated civil mediations in locations across Hobart representing their "client" in the interactive civil file that runs throughout the Course.

MAY/
JUN

WORK EXPERIENCE

Trainees participated in 3 weeks work experience across Tasmania, gaining valuable experience in private firms, Crown Law, the State and Commonwealth DPP, the OSG, Legal Aid and community legal centres.

AUG

ADMISSION

All Trainees were admitted in the Supreme Court of Tasmania ending their studies and commencing their journey as "real" lawyers!

2024 APPLICATIONS ARE STILL OPEN!!

Our 2024 TLPC commences on **Friday 2 February 2024** and concludes on **Thursday 18 July 2024**. We are looking forward to welcoming the next group of UTAS Law School graduates to the TLPC.

Come and be part of one of the most unique practical legal training courses in Australia!

Applications are still open - Apply now!

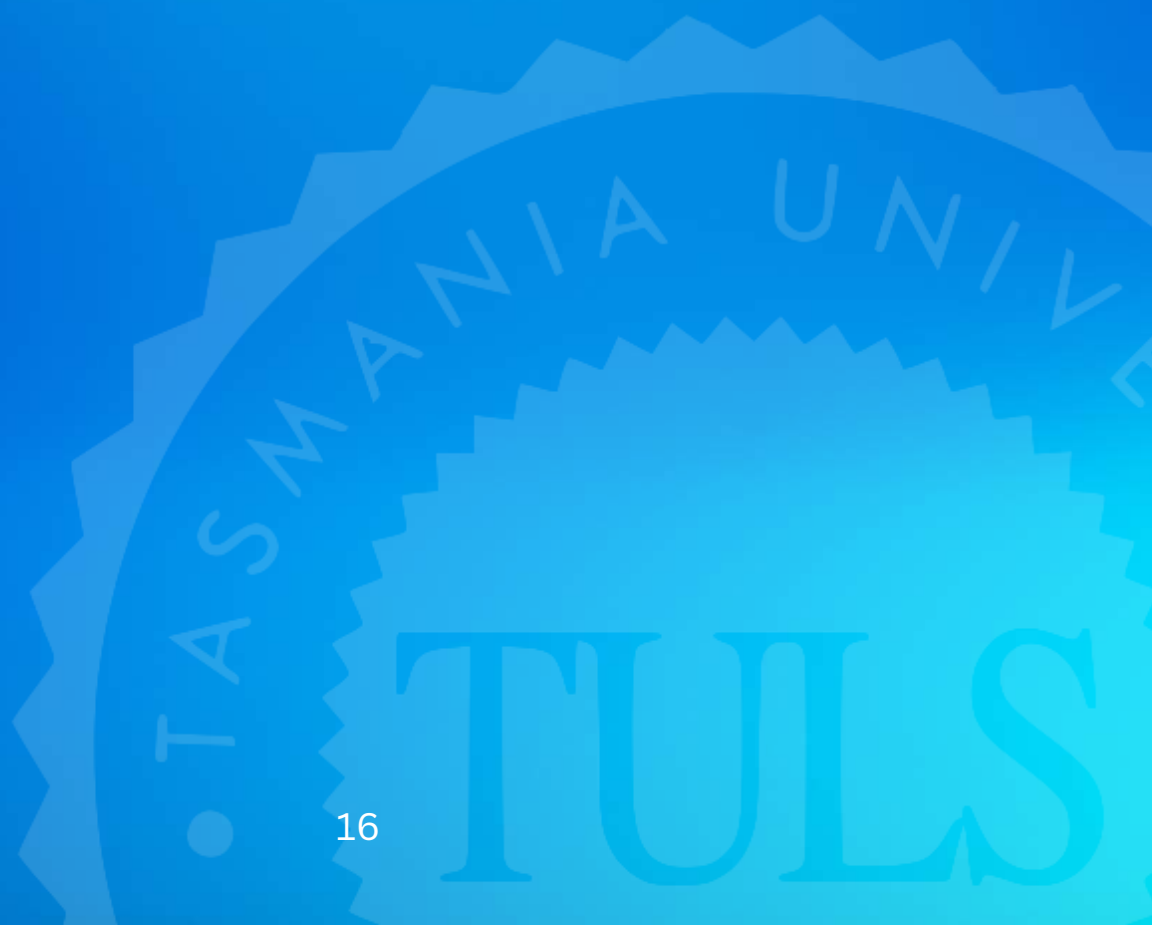
SCAN ME



WWW.CFLS.COM.AU

Faculty

The UTAS Law School has some amazing lecturers who are experts in their fields. Here about their research and teaching in the following interview summaries, but not before reading a farewell from our Dean.





Dean's Farewell

Gino Dal Pont



As the interim Dean of University of Tasmania Law School, it is with great pleasure, but at the same time some sadness, that I write a farewell to graduating students (the class of '23). The pleasure comes in seeing those students achieve their goal of securing a Law degree from this longstanding and august institution. As I have observed on more than one occasion, the conferral of a Law degree is something that lasts in perpetuity. You will always be, together with the thousands of graduates before you and those who are to come, Law graduates of the University of Tasmania. This will in turn place you in excellent stead not just for a successful professional career but one in which you may have a positive impact in manifold ways.

The sadness comes in seeing students, with whom we have become familiar over the passage of 3, 4, 5 or even more years, leave the halls of the Law building, no longer to be spotted in lectures, tutorials, the Law Library or at extra-curricular events. Speaking on behalf of the academic and professional staff, we will definitely miss your presence. But to know that you are now spring-boarding into a new stage of life, one in which you can put your study (and broader experience) at the Law School to productive use, assuages some of this sadness.

We sincerely hope that your Law School journey will prove one that you can look back upon with considerable fondness. I have no doubt that your time as a UTAS Law student will have been punctuated by many striking moments, which have become etched in your memories. The impact of COVID from 2020, as well as some higher-level missteps in 2021–2022, functioned to galvanise the student body in a fashion that highlighted the jealousy it felt for the Law School. We have emerged stronger as a result, and I hope that your experience in the last two years bears testament to this.

During this time, we have witnessed a 'revival' in the Law School, with regular events populating both academic and social calendars. Thanks to the 2023 TULS team for being most proactive in rebuilding social engagement post-COVID, and to students more generally for supporting academic events on multiple occasions. As to the latter, the Law School has welcomed public seminars from a wide variety of internationally acknowledged speakers, including academics from Europe and the United States, as well as diplomats, judges, legal practitioners and sociologists. During 2023, the Law School was also actively involved in Law Week and International Women's Day, and hosted an impressive alumni function.

There were many student highlights this year. The competition mooting program was certainly one of them. Again, UTAS Law punched well above its weight, with our teams reaching the finals of 5 of the 7 national mooting competitions held since mid-year. Congratulations to all involved! Academic staff continued to publish profusely, as appears, inter alia, from the books that populate the three display cabinets outside the Law Library. Multiple Law staff have won awards for their publications, including for 'best articles' in highly ranked journals. And our academic numbers have been swelled by three exceptional new appointments, and there are more to come.

I encourage you to maintain contact with the Law School. We are always thrilled to hear of where your UTAS Law degree is taking you, and to foster connections between our graduates through alumni networks. Do us proud!

With my best wishes,
Gino
Interim Dean

Faculty Profiles

Jane Nielsen



A Quick Trip Down Memory Jane

After graduating with a Bachelor's Degree in Commerce and Law, Jane relocated to London to spend two years doing accounting work for an asset management firm. It was here, working in the capital gains tax area, she was convinced it was law and not accounting that was the path for her. On return to Australia, Jane completed the Tasmanian Legal Practice Course before going into private practice at Dobson Mitchell and Allport (DMA). At DMA, Jane's focus was commercial litigation.

Academia

Following four years at DMA, Jane made the decision to complete a PhD at UTAS. Her focus was on a completely unrelated area to what she had done in practice, being the intersection of intellectual property and competition law. Jane worked under the supervision of Don Chalmers (then head of the Centre for Law and Genetics), Lyndon Griggs, and later Dianne Nicol. Academia beckoned with Jane landing a permanent position in the Law School.

This change came about due to the differences between private practice and academia. They are similar in respect to both pathways entailing really busy jobs where there are many things on the go at once. A marked difference is the requirement for time recording in private practice. Whilst she notes you really do get used to it, the process of recording your billable hours is very mechanical and sets the pace at which one works. Hence, unlike in academia, lawyers working in private practice do not get as much luxury to spend their time sitting with legal problems. Furthermore, the hierarchical structure of a law firm delegates much of the research of legal questions to junior lawyers. More senior lawyers begin to take on a more administrative role. As the part of her job Jane loved most, burying herself in research, the chance to permanently do so by joining the law faculty was more aligned with her interests.

Genomic Law

As genomic sequencing for clinical and research needs increased, there is an increasing need to properly regulate the area. There is a push to broadly share this data, however on the other side of that, there are a lot of issues around protecting people's rights. Key issues stem from consent, privacy, ownership, discrimination, and commercialisation of people's genomic data. It is through striking the right balance that the need to better diagnose genomic conditions and identify appropriate treatment can be balanced with the need to protect individuals' rights. Doing so will likely require an overhaul of Australia's patchwork privacy law regime to better equip it for the modern age. If you want to learn more about genomic law, there are a few relevant electives available. The next likely to be run will be Health Law and Ethics in the new year, coordinated by Margaret Otlowski.

Intersection between intellectual property and competition law

Genomic law requires an understanding of the intersection of IP and competition law. The essential question concerns whether dealings in intellectual property should be exempt from competition law. Various jurisdictions take different approaches to this complex legal and policy issue. Both IP law and competition law share the same aim; to enhance economic efficiency, be that through innovation or otherwise. The consensus is that they are complementary areas of law. Nevertheless, there will be instances where IP law is used in an anti-competitive manner.

Other Research Projects

Jane has also been working on a research project to return raw genomic data to the individuals who provide it, and a different project to more efficiently regulate innovative health technologies including bioprinting devices, CRISPR gene editing, and biologic drugs.

Ways to Join the Jane Fanclub

Jane is currently involved in teaching Tort Law and Private Law: Obligations and Remedies - both core units.

- Regarding tort law, Jane kind of fell into teaching it. However, it is something she was quite comfortable with from the start as she had a lot of experience in tort law in private practice. She always says to her students that it may well be the subject you use most in practice.
- In terms of remedies, with the course restructure it is now intended to act as a bridge between private law units taken early in the course (e.g., contracts, tort) and those taken later (e.g., equity & trusts, property).

Jane is also the unit coordinator for the elective Competition Law that is currently running. This subject is a direct result of the research Jane undertook as part of her PhD.

Reflections on the Current State of the Tasmanian Legal Community

The benefits of becoming a member of the Tasmanian legal community is its small size and real sense of collegiality. Since UTAS is the only law school in the State, the main pathway to the profession is first through UTAS and then the Practical Legal Training Course. Thus, the profession is really dependent on recruiting quality graduates from UTAS as junior lawyers. Jane, in her position as Chair of the Board for the Centre for Legal Studies, expressed the plethora of job opportunities there are for junior lawyers in Tasmania - particularly where they have sought out practical experience.

Robin Banks



Career

Robin grew up in Tasmania, however, started her law degree at the age of 36. Prior to this, Robin studied architecture in Melbourne right after graduating from school. In Melbourne Robin worked for a gay publishing cooperative and from there got involved in volunteering in the legal centre as a non-legal volunteer. Following this Robin got a job with the Peak Community Legal Centre organisation in Victoria, which led to various projects around justice and rights. After involvement in the community legal sector, Robin travelled around Australia and lived briefly in Cairns and Alice Springs. In Alice Springs Robin set up and ran an advocacy service for people with disability and worked a lot with childhood disability. Robin then began a law degree and moved from Alice Springs to Sydney to work for the Disability Discrimination Legal Centre, whilst finishing her law degree. An opportunity arose for Robin to go to Canada for a year, whereby Robin worked at the Canadian Human Rights Commission doing legal research.

Coming back to Australia, Robin did some temporary work for the Northern Australian Aboriginal legal aid service. Following this Robin took up a role at a Sydney law firm where she worked in litigation “Yeah, I love litigation. Like it's, it's a real buzz”. From here Robin moved on to be the CEO of the public interest advocacy centre “We had 36 staff doing public interest work across indigenous justice, disability rights, consumer rights in energy and water, health and coronial law, like just this incredible spectrum”. After being in Sydney for a few years Robin was ready to return to Tasmania, whereby she was appointed as the state's Anti-discrimination Commissioner, and worked in this role for 7 years. “I did a lot of work going out there and pushing people to understand how the law is supposed to be an instrument of equality, not inequality.”

Robin is still currently involved in community activism, training people on how to engage with legal processes and political processes, Inclusion and diversity training, and teaching at the university.

"I, in my approach to the law, am a critical legal theorist. I look at the law and say, what isn't working for people and how can we change it because I don't believe that we should sit still. I think that the law is not the status quo. The law is supposed to serve us all."

Research

"I came to the research from a personal sense that discrimination law doesn't sufficiently incorporate an understanding of the experience of prejudice-based behaviour." Robins' thesis was about the law and the way it's interpreted, through a lens of the most understood forms of prejudice-based discrimination. Robin looked at the two dimensions of how we respond to people unconsciously. Being, whether are they a friend or a foe, and their competence. Robin's research looked into how different identity groups sit in different places on this matrix, and how discrimination or in its current form, doesn't operate equally for different groups. Robins's research showed that sexual harassment was the most successful form of claim. However, the level of success overall has dropped and is dropping for all attribute groups including sexual harassment. It now hovers around 10-13%. Robin's research was very encompassing into many various facets of the law and society, delving into the psychological theories around prejudice, international mechanisms and discrimination law, and the major law reform initiatives in Australia. In the final chapters of Robin's PhD, there are 26 recommendations for reform within Australia's discrimination legislation.

Electives and teaching

Human Rights and discrimination law are Robin's key areas of expertise. In the last few years, she has had exposure to a few different subjects within the law school. Robin taught foundations of law a couple of years ago, a bit of public law and human rights law, and this semester Robin has been doing Seminars for admin law. "Administrative law is probably the closest thing we have to good protections against government overreach, in the absence of human rights act."

Yvette and Robin have been working on a new unit, Disability and the Law which would cover areas like disability, mental illness and mental health in the law and anti-discrimination law. This proposed elective is still in its construction process, but Robin is keen to get it off the ground. So, keep an eye out for it hopefully coming up in the curriculum in the near future!

Current issues around the law of discrimination

Australia's laws around discrimination are in the process of development. Robin discussed that the cost reform regime for discrimination matters is currently a prevalent issue. Currently, if you lose a discrimination claim, you pay the other side's costs. Consequently, we do not see as the main claim as you expect. Robin outlined that for discrimination claims "It should not be a cost mentality law... rather a presumptive costs order rule in favour of the plaintiff."

Another issue regarding the discrimination legal sphere today is standing. The standing rules in Australia are narrow, whereby you must be a person aggrieved. Robin explained that often the people disadvantaged by discrimination are the least able to defend themselves. Standing has been a huge issue for a long time and will continue to be unless we see reform.

Anja Hilkemeijer



Early life and study

Anja grew up in the Netherlands and moved to Australia when she was 13 years old. In High School, Anja loved learning and developed a love of debating, which prompted her to study law at University. Anja initially studied her Bachelor's degree at the University of Sydney, with honours in history. She then went on to complete a Master's degree in International Law at the University of Brussels in 1992, and a Masters of Public International Law at the University of Geneva in 1998.

Working Life

After completing her Masters degree in Brussels in international law, Anja came back to Australia to work in a commercial practice, but she found that she disliked the commercial world. Instead, Anja pursued work at the Department of Foreign Affairs and Trade. Anja also worked in the Antarctic Division as a lawyer. Anja started her teaching role at the University of Tasmania in 2009. Since then, Anja has had a considerable impact on the law school– she has worked to help UTAS establish an international moot presence and created the Competition Moot Unit. With Anja's guidance, UTAS won the ALSA moot in 2018 and has represented Australia in Hong Kong and Zambia.

Today, Anja teaches mainly public law and constitutional law units, but she also has extensive experience in other areas of the law including tort law. Anja teaches Human Rights Law (LAW234), which focuses on global inequality, the nature, history, and challenges of Australian and international human rights, as well as advancements to social justice and human rights mechanisms. Anja also teaches International Trade Law (LAW263) - in which she has an extensive background – focussing on the way in which global trade has been regulated in modern times. This unit also considers the key principles, aims and methodology of the World Trade Organisation. Anja is a global thinker and believes that as law students, we need to direct our studies towards units which offer a more global perspective and underscore the importance of understanding the global political economy. Anja believes that we need to talk more about the financialisation of society and how this can worsen economic inequality, particularly through the privatisation of resources.

Research

Anja has done significant research in the field of LGBTQ+ human rights. She has researched LGBTQ+ human rights in the context of 'religious freedom' which aims to justify discrimination. In doing so, Anja has investigated the push from Christian organisations which allow discrimination in relation to employment and same-sex marriage. Anja has also directed much of her research towards Australia's role in international human rights, and our domestic compliance with international obligations.

Gino Dal Pont



Career

Gino began his UTAS journey as an accounting student over 37 years ago. Law seemed to be a fitting addition to his accounting degree at the time.

“I thought, well, I could be an ordinary accountant, or I can be an accountant that has an extra qualification. And so I thought, broaden your horizons a little bit”. After graduating second in his class, Gino was offered a teaching role here at UTAS Law School to teach tax law, pending going to Sydney to complete his PLT at the College of Law. The following year Gino furthered his studies in the US (Michigan). After returning to Australia and working for the University of Tasmania, Gino decided he wanted to get into writing before commencing practice. From here he decided to pursue an academic career. “I've been teaching and writing, amongst other things ever since.” Having studied in the US, Gino found it an advantage, enabling him to be comfortable with the US legal system, because there's material in some of his books that has a US component.

Academia

“I am wary of calling it research. I've always thought that I did scholarship”. Gino’s work in the scholarship and writing space has targeted books. The opportunity to co-author a book first came with the first Equity and Trusts book, published in 1996. Following this, Gino pitched an idea for the Legal Ethics book (after studying this area in the US) to publishers because, at the time in Australia, there wasn’t anything of its kind. This proved the genesis for further books, encompassing books on costs, agency law, charity law, powers of attorney, succession, confidentiality, limitation, associations, construction of wills, and lawyer discipline. He acknowledges that “people assume, that if you've written a book in the area... you are the expert in the field... I sort of modelled myself on people I'd seen who could be called generalists. And so I've been a generalist in a society increasingly punctuated by specialists.”

Equity and Trusts

After studying at the University of Michigan, the University of Tasmania gave Gino the opportunity to teach equity and trusts, which sat hand in hand with co-authoring the equity and trusts book. Gino teaches equity primarily through the lens of trusts but commences with an overarching equity taxonomy. This unit invites a conceptual jump for students to understand the role of equity in the legal system.

Legal Ethics

Legal ethics was a specific area Gino studied at the University of Michigan. He introduced legal ethics teaching at UTAS because of his overseas studies. “I try to highlight to students first up that just because you do a course on this doesn’t mean you will be responsible, ethical or moral”. What Gino hopes students will obtain from the unit is an understanding of what ethical conduct may involve or require in any given situation, as well as “a framework within which to determine or resolve ethical disputes or ethical challenges.”

Electives

Since beginning teaching at the Law School in 1991, Tax was the main elective that Gino taught. “Tax is one of those areas, you’re either 100% in or you’re not in the game.” In 2022 Gino was the unit coordinator for the Tax unit. Gino encourages students to study tax because, in reality, everybody in some way or another contributes to the tax system. Underscoring the Tax law elective are the distinctly political and economic dimensions of tax, as a springboard to probing how Parliament and the judiciary seek to balance these two.



Competitions

The UTAS Law School and TULS work together to deliver an internationally competitive moot program, and 2023 was no exception. Hear about the Competitions portfolio from the TULS Competitions Directors, and get an insight into competing from various participants.

Internal Competitions Champions

Senior Moot - Tenzin Phuntsok

Junior Moot - Jack Oates-Pryor

Negotiations - Emma Madden and Henry Southcott

Client Interview - Emily Heathcote and Rebecca von Samorzewski

Witness Examination - Chloe Winkler

ALSA Conference

Championship Moot - Jesse James, Natalie Size and Miles Kahles

Red Cross IHL Moot - Zack Stephenson, Kate Cosgrove and Henry Southcott

Negotiations - Emma Madden and Ash Burke

Client Interview - Rebecca von Samorzewski and Isabella Byrne

Witness Examination - Chloe Winkler

Intervarsity Moots

Michael Kirby Contract Law Moot - Ash Burke, Anoushka Thanikesh and Darcy Heffernan

Baker McKenzie Womens' Moot - Ava Drew, Lara Gaffney and Charlotte Atwell

Administrative Appeals Tribunal Moot - Jasper Madsen, Kate Binstadt and Jamie Nash

Sir Harry Gibbs Constitutional Law Moot - Reuben Gregg McQueen, Alexandria Knight and Jess Pursell

ANU Gender Identity and Sexuality Law Moot - Dara Campbell, Georgie McDermott and Gloria Jeziel

Competitions in 2023

My role of Competitions Director A allowed me to engage with students across all year levels and provide them with an opportunity to receive practical legal experience! In my role I organised the internal and final internal competitions including a Junior Moot and Senior Moot as well as witness examination, negotiations and client interview. It was so great to see engagement from all year levels, especially the first years! I also facilitated the UTAS teams ALSA experience, going to Sydney for the ALSA conference in July. A highlight of the role was getting to watch the progression of the competitors, and was super proud of all students, especially the IHL moot team (Zack Stephenson, Kate Cosgrove and Henry Southcott) who made it through to the semi final! I have thoroughly enjoyed my time in this role and look forward to seeing what William Heddle brings to the role next year!



Mia Grant



Ava Drew

My role as competitions director this year involved organising and delivering competition skills and training opportunities. I was responsible for the TULS Mooting Skills Workshop Program, and events such as our annual Skills Workshop Night. I really value the growth, confidence and friendships that competitions have given me and I love that I've been able to help provide this to other students through my role. I've really enjoyed teaching students about competitions skills and it has been so exciting to see such wonderful engagement throughout the year.

My role on TULS involved putting together the 2023 Competitions Guide which can be accessed via <https://www.tuls.com.au/mooting-competitions>. My main role involved facilitating try outs for inter-visibility national mooting competitions. This involved publishing information about national mooting competitions and gathering interest. Once students were selected I held a morning tea to get students together with past participants and their coaches to help students get comfortable with their new mooting endeavours. I enjoyed encouraging students to participate and try something out of their comfort zone. We entered students into competitions who competed between September and October. It was very rewarding to see teams progress from the preliminary rounds and return from competitions feeling much more confident in themselves and their skills. Thank you to those who volunteered to coach teams or supported teams in other ways, especially Anja Hilkeijer for her generous support to help select and guide teams. Congratulations to all students who participated in the mooting program this year.



Rebecca von Samorzewski

ALSA Red Cross International Humanitarian Law Moot

Zack Stephenson



Earlier this year, I competed in the ALSA Red Cross International Humanitarian Law Moot at the ALSA Conference in Sydney, and it was an extremely valuable experience that I would recommend to any law student. Anyone that knows me will attest to the fact that I've had a bit of a mooting addiction throughout my degree. This moot was the fourth intervarsity moot I competed in, but it will be the last because I am graduating this year (I hope). However, I was keen to sign up for one final moot and go out with a bang because the other three had been online thanks to COVID, and competing in person is a vastly different experience. While I advocate for mooting in general, I would particularly recommend competing in person because there is nothing else quite so nerve-racking yet rewarding.

The moot concerned two crimes in the International Criminal Court; the deportation of civilian populations and attacks against civilian objects causing environmental harm. I dealt with the first issue while my co-counsel, Kate Cosgrove, dealt with the second. Henry Southcott was our solicitor, so he was required to be across both! I originally had very little experience with international law in general, let alone humanitarian law, having only touched upon it in the international law core unit two years prior. However, moots require you to take on a lot of information extremely quickly, regardless of your pre-existing knowledge. It is for this reason, among others, that I believe they are one of the best ways to learn the law. For example, despite having very little knowledge of humanitarian law prior to the moot, I am now doing my honours project on the same issues that I argued on in the problem. These issues happen to be the same ones present in Russia's invasion of Ukraine, my focus for honours, which shows the real-world application of the problems explored in mooting.

After six weeks of frantic research and writing of submissions, we jetted off to Sydney to compete at the ALSA conference. On the first night of the trip, ALSA hosted a cocktail that also happened to be on a superyacht, which everyone on the trip will confirm I was just a tad excited about. My team and I then competed in two (a surprisingly controversial number) preliminary rounds and then nervously awaited the results to know whether we had gotten through to the quarter-finals. At the break night, which was another cocktail, we found out we had gotten through and were competing the next morning. This, of course, meant that we could not stick around for the refreshments, and we instead went back to the hotel to work on our arguments. Fun! Just kidding, we were super glad to have gotten through and were keen to thrash some mainland universities in the finals.

We got up bright and early the next morning, ate some bad eggs, and got ready for the quarter final. Kate and I had also both gotten sick at this point (thanks Jesse), so we were feeling a little tired at this stage. The quarter-final was, as expected, a lot more demanding than the preliminary rounds. All of the competitors who broke were of a high standard, one-judge benches became panels of two or three experts, and they were not afraid to grill us about our arguments. I faced challenges to my submissions that had not come up in any of our practice moots or the preliminary rounds. My team will tell you that I was pretty sure we had lost the quarter-final, but to my surprise we had broken through to the Semis! We were actually listening to a lecture by the former justice of the High Court Michael Kirby at the time, so I hope he wasn't too offended when all the winners immediately left to work on their arguments. We also had about half an hour between finding out and the next round (thanks ALSA), so we were mildly stressed.

After another tough moot with three Red Cross experts on the bench and a small quibble with the other side about where the prosecution sits, we had completed the semi-finals. I was reasonably sure we had won this round and was keen to progress to the grand final in the Federal Court building, but unfortunately, we just missed out. This proves a fact that I was already painfully aware of, which is that you can never control what the judge will do and they qualities they will look for. Regardless, my team and I did not expect to get as far as we did and were incredibly happy to make it to the Semi-finals. Getting knocked out also meant we could take our first day of rest for the whole trip, and also the first day in two months that I did not have to look at the law!



On the final day of the trip, we had the awards gala at the Sydney botanical gardens, and yes, there was an open bar. We then heard the results of the awards across all of the competitions, and I will take this opportunity to congratulate Chloe Winkler, who won Spirit of the Competition for witness examination. The next day, we all headed back to the apple isle. I was a little sad to go back to reality but also ready for a juice cleanse, and to try and make some much-needed headway on my coursework for Semester 2. Overall, this moot was my favourite one that I have competed in because of the content and the fact it was in person (don't come for me UNSW team). I could not have done it without my team, our coach Kevin Toman, and UTAS's mooting expert Anja Hilkemeijer. I would highly recommend the moot to any law students who are keen to develop their advocacy skills, especially if you have an interest in international humanitarian law.

Sir Harry Gibbs

Constitutional Law Moot

Reuben Gregg-McQueen



I participated in the Gibbs Moot in 2023. If you're someone who loves legal research and argument, mooting is definitely for you! Gibbs was the second moot I participated in during my degree, and it taught me so much. The moot was really hard work, but it was also extremely rewarding.

With the incredible help of Esther Chai and Anja Hilkemeyer, my team spent months completing detailed research on Constitutional law. The problem focused on Chapter III of the Constitution, asking questions about limits on non-judicial detention and procedural fairness. Clearly, the competition is suitable for people with an interest in Constitutional law, and it is the best opportunity you will get during law school to develop your written and oral skills, as well as an in-depth understanding of contemporary Constitutional law issues.

After drafting our written submissions, we were flown to Melbourne and the competition began! The Gibbs moot was in-person in 2023, which allowed us to meet people from law schools across the country. This was a great networking experience, but it also made the moots themselves feel much more similar to a real courtroom experience.

Over the course of the competition, we were judged by many accomplished public law experts, showing us the spectrum of judges – from extremely interventionist to quite laid back. No matter the judge, we were able to confidently answer questions and make our way through our arguments. We managed to get through to the quarter-finals, which we were really proud of!

Working in a team with Jessica Pursell and Allie Davies-Knight was a really valuable experience, which allowed us all to share the load of quite an intensive competition. There were many difficult moments in the moot, in both the written submission stage and the moots themselves. Despite this, we were always able to fall back on each other, Esther, or Anja, and this enabled us to thoroughly enjoy our time!

This competition is such a fantastic way to take the theoretical skills you learn during your degree and put them into practice. The Constitutional law unit gives you all the building blocks you need for practice and further study, but the Gibbs moot takes it one step further, allowing you to see Constitutional law in action!

For those who are interested in Constitutional law, and like the idea of testing your skills (as a solicitor or as a speaker), I couldn't recommend Gibbs more highly! I am sure you will have as great of a time as me.

Baker McKenzie

Women's Moot

Ava Drew



Competing in the Baker McKenzie National Women's Moot Competition has been a highlight of my university experience. This moot, hosted by the University of Sydney, has run for many years with the aim of addressing equity issues facing women at the Bar. It was an amazing experience to share with my teammates Lara and Charlotte, and a wonderful opportunity to connect with legal professionals and law students from across the country. This year's moot problem related to private international law, and concerned the enforceability of a class action waiver clause and an exclusive jurisdiction clause in an American contract for a tour to the Women's Soccer World Cup in Australia and New Zealand. This was a really interesting problem given it was based on a case before the High Court concerning novel issues.

The moot ran across four days, with three preliminary rounds taking place in the first two days. It was incredibly exciting when we progressed to the semi-finals, and then to the grand final held at Supreme Court where we were awarded national runners-up. We were also very fortunate to have the Honourable Justice Julie Ward, President of the New South Wales Court of Appeal, as one of the grand final judges. Having female academics, barristers and Supreme Court judges adjudicate our moots was incredibly valuable. The opportunity to moot for such experienced legal professionals, and to receive their feedback, was a real privilege and highly rewarding.

Whilst the moot was very challenging at times, I learned so much and my oral advocacy skills have developed further as a result. We also had a fantastic time sight-seeing in Sydney, visiting the Baker McKenzie law firm and attending the Gala Dinner. My involvement in competitions has been such an enriching part of my law school experience, and has developed my critical thinking, teamwork and communication skills, and ability to make strong legal arguments. This has been very valuable for my own studies and has given me greater self-confidence, especially in considering possible career opportunities. I am grateful that TULS and the Law Faculty continues to support and fund competitions as they are a wonderful opportunity for students to develop in skills and confidence. I would highly recommend this competition to any students who are interested, and am excited to see what we achieve as a law school next year.

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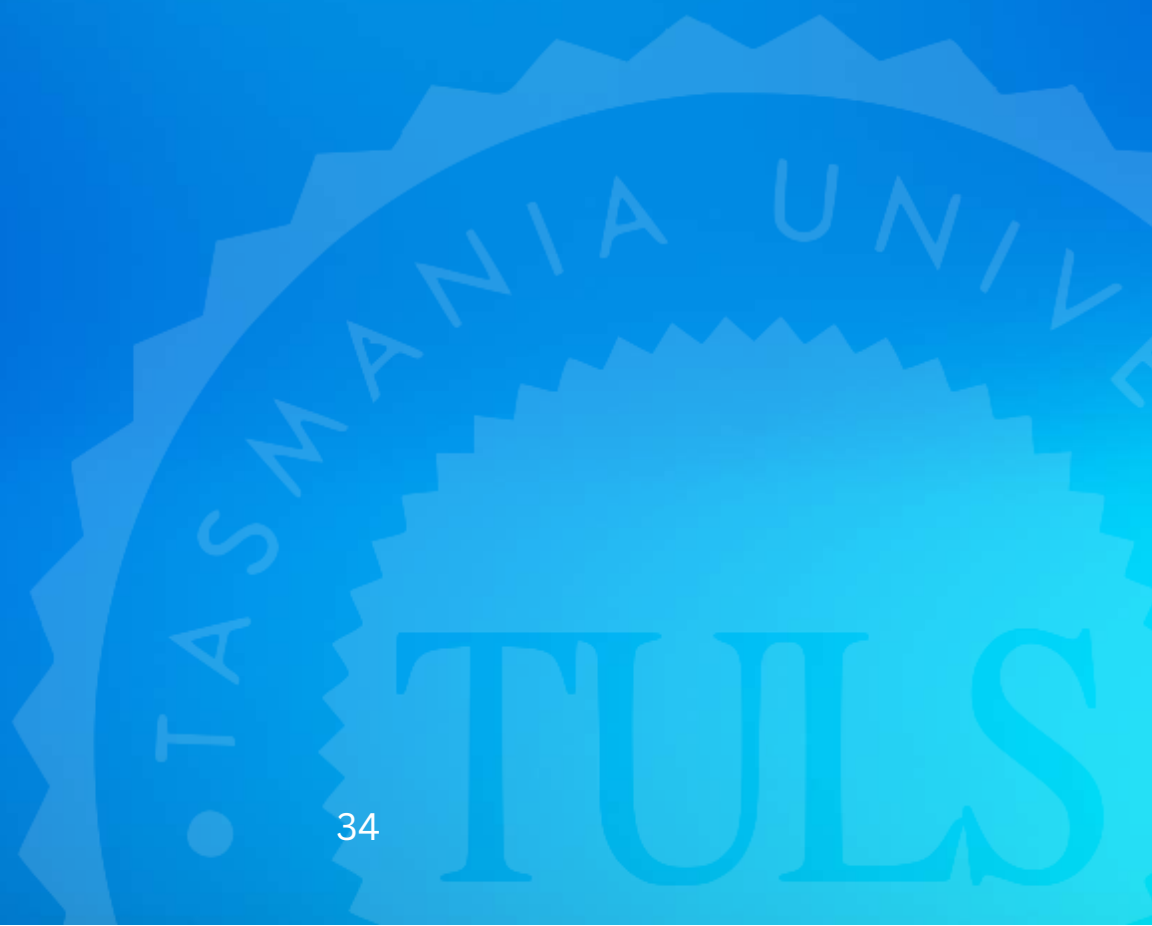
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Written Works

Any future lawyer must have a solid grasp of the English language, so we hope you enjoy reading the following student written works.



Don't Let Billionaires Make You Hate Space

Zac Sabapathy



The billionaires' space race has turned many people against the idea of space exploration. This is justifiable at face value—our world faces significant fundamental problems of systemic inequality, dangerous environmental degradation, and brutal wars. It seems ludicrous to invest in outer space when we have so many problems to work through right here on Earth. This is compounded by the projects that are being pursued by many of these tech billionaires, such as competing on vanity projects to be the first in space, and setting up a space tourism industry for the super-rich.

Space's value extends well beyond being a playground for the super-rich, despite recent narratives surrounding the idea. Space exploration has the potential to bring prosperity to all of humanity and is critical to the survival of organic life itself. In order to fuel our modern society, humanity has been digging deeper and deeper into Earth's crust for resources. This mining has well-documented environmental impacts. Additionally, mining creates incentives for human exploitation in the developing world.

Child slave labour in the Democratic Republic of the Congo provides many of the rare minerals present in plenty of our technological devices. However, it does not have to be this way. Asteroid mining may provide a solution to humanity's resource needs. Locating and extracting valuable minerals from asteroids provides plentiful resources without human or environmental exploitation. Additionally, the processing and refining industries for said minerals could also be located in outer space, removing another major source of pollution and carbon emissions from our planet. We need to recognise that our planet is finite and if humanity is to continue to grow in complexity and resource consumption, we will deplete the resources on Earth.

Space can also provide the solution for our energy needs. While there has been significant progress in the growth of the renewable energy industry and options available, energy demand continues to rise and we have missed our emissions reduction targets. Additionally, renewable energy is not a perfect solution. With its dependence on polluting materials in construction and maintenance, combined with reliance on lithium-ion batteries, renewable energy has not ushered in a green utopia. Nuclear fusion energy is on the brink of providing cheap, clean energy free from nuclear waste or the risk of a meltdown. However, nuclear fusion requires rare isotopes of hydrogen and helium. While these elements are the two most abundant in the universe, they are scarce on Earth. Considerable reserves of helium-3 (a potent nuclear fusion fuel) likely exist on the moon.

If the above examples appear speculative, then a snapshot of everyday technologies developed from our past baby steps into space show how space exploration can propel innovations that improve quality of life. These everyday items and processes include MRI machines, freeze-dried food, braces, the mouse on your computer, prosthetic limbs, and baby formula.

There is a more fundamental reason for space exploration that requires us to take a longer term view of humanity. Life on planet Earth is taken for granted. At any moment, any number of things could end life on this planet. From catastrophic asteroid impacts to runaway climate change to supervolcanic eruptions to gamma-ray bursts; the list of potential extinction events is terrifying. This is compounded by the worrying reality that the only known lifeforms in the universe are found on planet Earth. As far as we know, every experience that any lifeform has ever perceived through any of their senses has occurred on planet Earth (apart from our baby steps onto the moon). If something were to happen to make Earth uninhabitable, we have no evidence to suggest that anything would be able to perceive and experience the wonders of the universe. There would simply be nothing.

That depressing reality is accompanied by a looming threat—even if we fix climate change and a whole host of other existential threats, we know that the Earth will eventually become uninhabitable. The sun is midway through its lifecycle, but as it approaches the end of its life, it will swell to engulf Mercury, Venus, and Earth, swallowing them into its mass. If life is to continue, we must leave our planet in search of another home, or homes. Becoming a multi-planetary civilisation will diminish the risk of extinction and ensure that even if a catastrophe wipes out life on one planet, life will go on elsewhere.

Space exploration can also provide meaning to increasingly complicated life on Earth. Space exploration for the survival of our species provides a source of international cooperation and gives something for people to collectively work towards. The threat of the end of all life in the universe makes our current geopolitical power squabbles appear very insignificant. In this pursuit of survival, we may discover answers to more fundamental questions, such as how life started, how consciousness evolves and how the universe will end?

Humanity must put aside its squabbling—billionaires need to redirect their resources to a collective goal. Not only is this a matter of justice, but a matter of survival.

Why I'm No Longer Justifying My Special Interests: On *Bluey*, Cringe Culture and Systemic Ableism

Joey Harper

CW: This article discusses ableism.

"I don't want a valuable life lesson, I just want an ice cream!" – Bluey, *Bluey*

Special interests, for neurodivergent people, are an intense focus or hyper-fixation on a particular topic(s). This can range from popular culture to a certain animal to a particular historical event, but this list is not exhaustive. It becomes a special interest when the individual pursues more information on the topic, whether that be by reading about it, consuming the media, or thinking/talking about it with peers. This differs from the neurotypical (those who do not experience autism, ADHD, or other forms of neurodivergency) experience, as autistic special interests help the individual to regulate a sense of structure, order in the uncertainty of daily life, offer self-assurance in social situations, and act as a fundamental outlet for overall wellbeing and happiness.

In my experience, a lot of my special interests (even before I got a formal diagnosis for autism) have been met with confusion and mockery. This is something I never fully understood, especially at a young age. Now, in my infinite wisdom (and after finally getting a diagnosis), I have concluded that this is since a lot of my special interests have revolved around what would be generally conceived as targeted towards younger audiences. In the past, I would be belittled for expressing interest in these things; they were seen as 'too childish'. I would constantly be asked, 'how old are you again?'. This shamed me into keeping quiet about my interests and caused me to mask my autistic traits more and more. I'm not an outlier in this experience.

Growing up on the internet in the 2000s and 2010s was nothing short of a horrific experience, especially if you were in any way 'different'. When I was around 13-14 years of age, I began expressing an interest in the relatively new series of *My Little Pony*. I thrived on my introduction to fandom culture with a DeviantArt account dedicated to Microsoft Paint drawings of my favourite characters, and by scrolling through YouTube for fan-made music. I didn't feel shame initially; I didn't see anything wrong with being invested in a show maybe aimed at a younger audience. This is why I had no qualms being open about my art and listening to aforementioned music in my year 7 Maths classroom. I was subject to ridicule and bullying from my peers and it was from then that I started hiding my special interests. I was filled with such a great sense of shame, something that I could not fully comprehend at the time, being undiagnosed.

This was, of course, around the time that mass media attention around a subsection of the fandom, 'Bronies', arose. This subsection consisted of usually older men enjoying and engaging with the show, and in the deeper and darker corners of the internet, sexualising it. Because there existed the problematic and predatory sexualisation of underaged characters in a minority portion of a fandom, broader society seemed to assume that every member of a fandom who did not fit the target age bracket also partook in this predatory or unsavory behaviour. This saw people like me, part of the fandom out of pure enjoyment, grouped with those who had more sinister intentions, and villainised as a result. With this, a new term entered my vocabulary: cringe.

This manifested in online circles as severe judgement and bullying of people partaking in interests that may be out of 'the norm'. I have seen enough 'Epic Feminist Cringe Compilations' to last a lifetime (or two), mostly making a mockery of queer and neurodivergent women. Surprise, surprise: this also had a negative impact on my values and interests. As someone coming to terms with existing in a world skewed out of my favour, seeing other people like me standing up for their rights be referred to as 'cringe' warped my sense of justice. Have interests, but don't be too into it.

However, I have noticed that the dismantling of cringe culture has changed; what was once a way for neurodivergent people to feel safe engaging in their special interests has been grossly appropriated by neurotypical individuals wishing to exert and justify their problematic interests. For example, people using "cringe culture is dead" as a justification for problematic fanart (usually involving the sexualisation of a minor). In a similar vein, the very originating concept of cringe culture arises from neurotypical people invading safe spaces with a predominant neurodivergent presence and dictating what is socially acceptable. These spaces, which have been a way for autistic people to safely connect over a shared special interest, have been taken over and appropriated by neurotypical people with the intention of bullying and ostracising neurodivergent people.

There seems to be a common pattern wherein neurotypical individuals will not generally be made fun of or bullied for exhibiting certain interests, yet neurodivergent people are often made the butt of the joke. It is not due to the interests themselves, however, but because the people who show interest in them do it in a way that neurotypical people find uncomfortable or 'cringey'. Hence, the perpetuation of cringe culture being built on the foundations of what I like to call 'acceptable ableism': it's not ableist if the neurodivergent person is being too weird or outward about their interest. God help you if you are in any way queer as well as neurodivergent.

For the first time in what feels like my whole life, I am surrounded by people who celebrate my interests, even indulge me in them. I owe this in part to *Bluey*, the fun Australian cartoon about dogs, because who doesn't love cartoon dogs? It's no surprise that this show has attracted a large audience of neurodiverse individuals. In fact, there is an episode which depicts ADHD in a respectful and educational manner; who knew this sort of subject matter could be represented in a cartoon for kids? In a way, *Bluey* has helped me relive and reconceptualise my childhood. I see a lot of myself in Bluey's younger sister, Bingo, as a kid with undiagnosed autism (this has not been confirmed by the showrunners but is a common reading of the character). Yet, instead of being met with ridicule and confusion, Bingo and her parents learn to navigate these difficulties together.

By being so personal about my experiences, I hope that I can work towards dismantling my internalised ableism further, redefine cringe culture and be proud of my special interests. I know who means the most to me if they listen to one of my many info-dumps about Remi Wolf, rants about *The Owl House* and *Persona* series, or buy me *Bluey* plushies because they thought of me. It's these people who make me feel safe in a world that is often unsafe for neurodivergent people, and it's thanks to them that I have learnt to redefine my feelings of shame towards my special interests.

Enduring Courts in Changing Times

Emily Heathcote



On 8 September 2023, I was lucky enough to find myself on a plane to Sydney (Gadigal land) for the Enduring Courts in Changing Time Conference. After a brief exploration of Sydney's CBD, I changed and headed to the New South Wales Supreme Court's Banco Court for the Conference's opening address by the Hon Chief Justice Susan Kiefel AC. Remarkably, this marked her last public address before her early retirement in November. Her honour welcomed us to the Conference by highlighting its historical significance. She explained the event aimed to commemorate the shared milestone of both New South Wales (NSW) and Tasmania; the bicentenary of their Supreme Courts. She explained the history of the Courts and their origin, namely through their establishment by the Third Charter of Justice of 1824.

Throughout the Conference, a lively debate ensued regarding whether Tasmania or NSW could lay claim to having the first Court established under this Charter. Her Honour seemed to lean towards the Tasmanian Supreme Court, citing its earlier opening date, 10 May 1824, while the NSW Supreme Court opened ten days later. This disparity can be explained by the relevant Letters Patent arriving later in NSW than in Tasmania. The Hon Andrew Bell CJ of the NSWSC, in his speech at the Gala Conference Dinner, attempted to argue that Tasmania was a part of the NSW colony at the time, and thus the establishment of the Tasmanian Supreme Court was merely an extension of NSW's Supreme Court. In the alternative, he attempted to argue that Tasmania's Supreme Court had to change its name from the 'Supreme Court of Van Diemen's Land' in June 1825, whilst NSW had not had to change their name ever. Despite growing up in NSW myself, I thought this reasoning fell short of convincing me, and am inclined to believe that our Court was indeed the first, as proudly stated on the Tasmanian Supreme Court website.

Beyond this historical squabble of who's Supreme Court was first, there were many fascinating aspects to this Conference. Speakers included Bowskill CJ of the Queensland SC, Professor Appleby, Emeritus Professor David Barker AM, the Honourable Beech-Jones J of the NSWCA, the Honourable Virginal Bell AC and SC, Lucy McCallum CJ of the ACT SC, the Honourable Ward J, and some Tasmanians! Emeritus Professor, the Honourable Kate Warner AC, and our beloved UTAS Professor Tim McCormack appeared via Zoom to comment on papers presented on the interaction of the Courts and First Nations peoples, through the lens of their tabled report Pathway to Truth-Telling and Treaty. Kate Warner further presented a paper on Criminal Justice: Then and Now in the context of Tasmanian criminal law. Malcolm Schyvens, the current president of TASCAT and UTAS graduate, also delivered a speech.

A highlight of this Conference was the focus on the law and its impact on Indigenous peoples in Australia. We had the privilege of hearing from Professor Val Napoleon, Dean of the Canadian University of Victoria, and its' double Juris Doctorate of Civil Canadian Law, and Indigenous Legal Orders (JD/JID); the first of its kind globally. Our 'cousin' from across the pond Hon Sir Joe William KNZM graced us with a performance of the Hakka. He told us of the power of Indigenous law and customs in the case of Maketū Wharetōtara and its utilisation in the avoidance of intertribal war. He also warned that we must all remain vigilant and not allow the practice of acknowledging country to become a cliché or 'box to tick'. This focus on Australia's First Nations people is important, especially in the political context of the upcoming Voice Referendum and the recent claims by Eddie Cubillo of institutional racism at the Melbourne Law School. Overall, this was an amazing event that I have been significantly enriched by attending, despite it causing me to be a little behind in my studies!

Is it Defamation?

Zack Stephenson



Despite being a law school student publication, the Pettifogger this year has been lacking in any serious discussion of the law, opting instead for literally anything else. I have made it through my entire law degree without actually reading a judgement from beginning to end, and that was not about to change in my role as Publications officer. However, this ends today. Defamation is big issue in media, and the *Advocatus* should be no exception, so get ready for a torts refresher just in time for the university break.

Defamation's dramatic focus on emotion and scandal makes it probably the most LGBTQ-adjacent tort, which is why I love it. One of the earliest defamation statutes was the *Scandalum Magnatum*, which is Latin for magnum-sized scandal (don't quote me on that). The first element of defamation is 'defamatory matter'. Don't you just love this stupid thing we call the law? *Reader's Digest Services v Lamb* found that matter would be defamatory if it caused a reasonable person to think less of someone. Although, I find it quite easy to think less of others all by myself. However, I'm also not a reasonable person by any means.

The second element of defamation is that the material must be about a certain person, which poses a problem for us paranoid/self-obsessed individuals who think everything is about them. The final element is that the material must be published. Hey, we're inside a publication right now... The law is nothing without someone to break it. I will now provide a practical example of defamation to apply what we have learned today. Remember: rule, source, APPLICATION. Get ready for some truly scandalous defamatory (?) material.

'Jack smells'



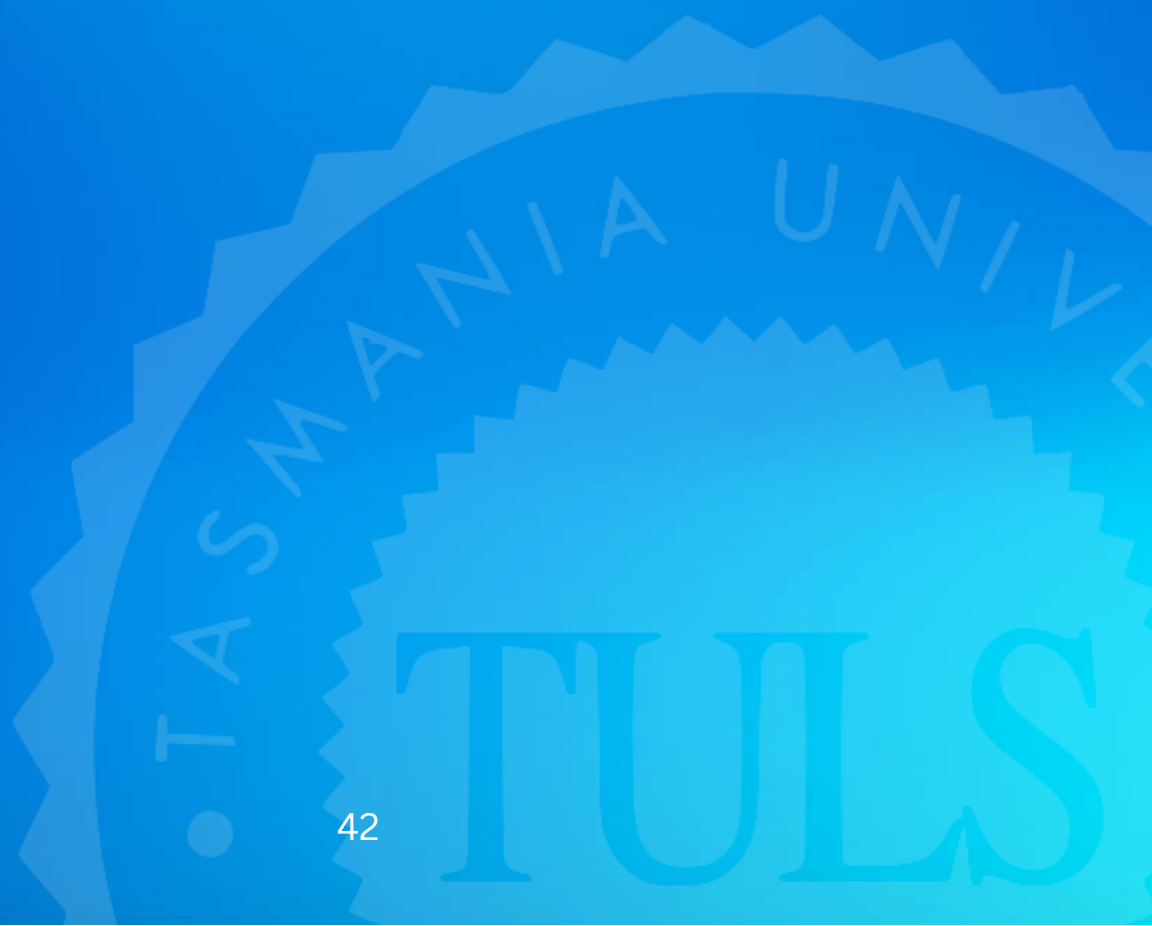
Is this defamation? First, it must make us think less of jack. It's so hard to confine that man to just one issue, but a body odour problem certainly isn't helping. Second, is the material about him? Yes. And has it been published? It has now. However, I think the defence of truth may also apply... have you been in the library in February? All in all, I think we have the next *Rebel Wilson* lawsuit on our hands.

Jackson Cacciatori,
plaintiff and culprit



Graduates

At the end of every year, another group of law students farewells the university to move on to bigger and better things. Hear from some of our graduating cohort on their years at the law school.



'I don't know what contempt is your Honour, but I would love to be held'

Favourite law school memory

Singing 'Hey! Baby' on the bus back from Law Ball

What would you tell yourself in first year?

Don't tell anyone that you have red hair, they will bully you for it.

What one thing has gotten you through law?

Marisa's words of wisdom and perspective.



Jackson Cacciatori



Esther Chai

'In summing up, it's the Constitution, it's Mabo, it's justice, it's the law, it's the vibe and, no that's it, it's the vibe'

Favourite law school memory

Procrastinating at the law library with friends.

What would you tell yourself in first year?

Don't stress about the little things.

What one thing has gotten you through law?

Vodka Cranberries and Bento.

'Sodastream will do for soda what 3D printing has done for assault rifles'

Favourite law school memory

Cross examining police recruits at the Tasmanian Police Academy.

What would you tell yourself in first year?

Study twice as hard for any unit Gino teaches!

What one thing has gotten you through law?

Any form of caffeinated beverage.



Alex Davey

'The days are long, but the years are short'

Favourite law school memory

Having so much fun in the lectures/ workshops because you have great friends and a great lecturer!

What would you tell yourself in first year?

Imposter syndrome isn't real. You're more capable than you can imagine.

What one thing has gotten you through law?

Both my great friend Jack and my self care rituals.



Marisa Gillam



**Thanuji
Jayathilake**

'Great things never came from comfort zones'

Favourite law school memory

Taking part in a moot competition my second year.

What would you tell yourself in first year?

Do it with passion or not at all.

What one thing has gotten you through law?

My cats.

'You are what you do, not what you think or say you are. Pursue excellence in what you do (ideally with a light-hearted tinge) and the rest will follow'

Favourite law school memory

Getting into netball and winning the comp with the legal eagles in first semester of 2022.

What would you tell yourself in first year?

I'd tell myself to stick with it, stay curious and don't pay too much attention to other people's opinions. You're going to have a great time!

What one thing has gotten you through law?

Learning what I love about studying and the law, namely the social aspects, campus sport, mooting and complex but rewarding problem-solving.



Miles Kahles

'See you in court'

Favourite law school memory

First Year Law Camp.

What would you tell yourself in first year?

Prepare Yourself.

What one thing has gotten you through law?

My friends.



Benjamin McTaggart



Lucy Milne

'As law students you're probably all on some form of drugs, prescription or otherwise' - Jonathon 'Jonno' Budgeon

Favourite law school memory

The 2020 Junior Moot with Zack and Hannah.

What would you tell yourself in first year?

When COVID hits and they offer you the ungraded passes, take them!

What one thing has gotten you through law?

Mr Ciano confusing me with Emily Heathcote on a daily basis.

'Loyalty is a two-way street. If I'm asking for it from you, then you're getting it from me'

Favourite law school memory

Ironically, having zoom classes with Anja with a small group of students.

What would you tell yourself in first year?

You'll get there eventually, just keep giving your best and don't do anything you'd regret.

What one thing has gotten you through law?

Friendships.



Shamin Othuman

‘Don’t waste your time trying to get into my head. There's nothing there’ - Denny Crane

Favourite law school memory

Anja's constitutional law tutorials.

What would you tell yourself in first year?

That you will have a great and interesting future ahead and therefore you should not underestimate yourself. You'll do magnificent things in the future.

What one thing has gotten you through law?

Fish Burgers, Alcohol and Boston Legal



Felix Singh



Zack Stephenson

‘Wherever you go, there you are’

Favourite law school memory

Jack ‘accidentally’ throwing a chocolate into a light fixture in the library.

What would you tell yourself in first year?

Sometimes you don’t need to answer every question in class.

What one thing has gotten you through law?

My brief smoking addiction in 2021.

‘4 years of law school, still haven’t used $Y=mX+C$ ’

Favourite law school memory

Taking shots before going in for moot with a fellow panicking law student.

What would you tell yourself in first year?

It definitely gets worse...but it also gets funnier.

What one thing has gotten you through law?

Treating lectures like a drama series, classes like a gossip session and cases like receipts.



Pauline Anna Varghese

‘Don't remove the parts of your life that make the hard work worthwhile’

Favourite law school memory

Travelling and competing in the Australian Law Students' Association National Competitions.

What would you tell yourself in first year?

AGLC 4 is not that complicated and you will learn techniques to help you study over the years, this is not something you will master straight away.

What one thing has gotten you through law?

Being able to study in our own library was a lifesaver. It helped me to create a structured routine from 9am to 5pm.



Rebecca von Samorzewski



Chloe Winkler

‘Business/Law is a great double degree!’

Favourite law school memory

ALSA 2023.

What would you tell yourself in first year?

Make sure you enjoy every moment.

What one thing has gotten you through law?

My Faith in Jesus Christ.

Favourite law school memory

Tim and Mathias singing at law ball this year. Unexpected and totally iconic.

What would you tell yourself in first year?

I would tell myself to save my money and read the textbooks online!

What one thing has gotten you through law?

Constantly quoting Legally Blonde to myself every time it's gets hard.

‘What, like it's hard?’



Ellie Rose

‘Diamonds are made under pressure’

Favourite law school memory

Every Law Ball especially the ones I can remember!

What would you tell yourself in first year?

Holly - you have 12 months to stop the beginning of a worldwide pandemic listen to the following very carefully...

What one thing has gotten you through law?

Recorded lectures on 2x speed.



Holly Devereaux



Ijaz Careem

‘You overcome your fears by walking into them’

Favourite law school memory

Attending Law Camp in 2022!

What would you tell yourself in first year?

Spend more time at the law school.

What one thing has gotten you through law?

Coffee!

‘Between COVID, structural curriculum changes and staff changes, we've gone through quite possibly one of the most "unique" and "interesting" uni experiences. But we endured. And we survived. And now, we'll thrive’

Favourite law school memory

Law Ball felt like some of the few times the Law faculty resembled a united cohort. Alternatively, the camaraderie through the pressure cooker that was summer semester Advocacy.

What would you tell yourself in first year?

TAKE YOUR STUDIES SERIOUSLY! GO TO FACE-TO-FACE LESSONS IF YOU CAN!

What one thing has gotten you through law?

Parents and the memory of two of my grandparents.



Aaron Woo

'I'd rather listen to space than billionaires'

Favourite law school memory

Anja calling Miles out for showing up to an essay writing workshop for an essay he'd submitted weeks ago.

What would you tell yourself in first year?

They will apply indexation to your HECS debt.

What one thing has gotten you through law?

Colour coding.



Zac Sabapathy



James McKee

'Hope. Reward. Opportunity.' - Tony Abbott AC 2013. This is what UTAS has provided to us all and I hope our graduating year uses their many talents to give back to the community.

Favourite law school memory

Graduating with Ms Burden.

What would you tell yourself in first year?

Mind your business, do your readings, and make time for friends.

What one thing has gotten you through law?

Shiraz, Cigarettes, and Anja Hilkenmeijer.

'Veni, vidi, vici.'

Favourite law school memory

Gino's annual law ball speech.

What would you tell yourself in first year?

Don't let anyone else pave your path and don't feed into the politics.

What one thing has gotten you through law?

James McKee.



Grace Burden

‘Keep climbing that mountain’ - Nan

Favourite law school memory

The lack of memory from the Law Balls

What would you tell yourself in first year?

It’s all downhill from here.

What one thing has gotten you through law?

Mutual panic with other students.



Sadie Nelson



**Fantanesh
Gebresilasi**

‘What, like it’s hard?’ - Elle Woods

Favourite law school memory

Law Ball 2021.

What would you tell yourself in first year?

Gods plan never fails.

What one thing has gotten you through law?

No-Doz.

‘View street, come early or don’t come at all’

Favourite law school memory

Scott Curries speech at law ball 2022.

What would you tell yourself in first year?

Make friends with 5th years - they have good notes!

What one thing has gotten you through law?

Caffeine, regular exercise and cascade draught.



Liam Devlin



**Amber Rose
Doney**

‘You must be the change you wish to see in the world’

Favourite law school memory

Getting to the semi finals in the Kirby contract moot with some of the best people!

What would you tell yourself in first year?

That word has an insert footnote function.

What one thing has gotten you through law?

Mr Ciano.

As part of Ashurst's 2023 graduate programme in Melbourne, we have had exposure to a broad range of experiences and work crucial to the skills of practising at a global law firm. Not only has Ashurst provided us with the right mix of hands-on practical work and training, but they have also supported us with mentoring and guidance to challenge us in a supportive environment.

Ashurst's graduate programme is comprised of 3 x 4 month rotations in different practice groups based on our preferences. I have been fortunate to have rotated in our Employment, Digital Economy and Governance teams where I have had responsibility across highly engaging and diverse matters under the supervision of some of the best corporate lawyers in the country. As Ashurst is a truly global law firm, much of this work has been directly with our other offices in Australia and overseas, which provided unique insights into the complex set of regimes and commercial settings our clients operate under.

In terms of practical legal training (PLT), we commenced our PLT in February and completed it in August, and we were admitted as lawyers in November. Our cohort found that the pace of our PLT and admission was ideal and enabled us to make the most of out the graduate programme throughout the year.

Lastly but very importantly, undertaking the graduate programme with 22 other graduates has been such a supportive and enjoyable experience. It has been great meeting people from a range of universities, backgrounds and interests and having others to relate to as we settle into the beginning of our legal careers. Overall, it has been a very rewarding year and we look forward to having future cohorts of the graduates join the firm in the years to come.



Arnold Bloch Leibler
Lawyers and Advisers

Great minds think differently

From your very first day, you will work alongside thought leaders in the profession on important and complex cases that will provide opportunities to flex your thinking, offer direct input and gain in-depth knowledge. Your opinions will be respected and you'll be given autonomy to progress matters.

Advocatus 2023

