## **Criminal Law Research Workshop 2023**

### Hosted by Melbourne Criminal Law Research Forum,

Melbourne Law School: <a href="https://law.unimelb.edu.au/centres/mclr-forum">https://law.unimelb.edu.au/centres/mclr-forum</a>

# Woodward Centre, Level 10, Melbourne Law School, 185 Pelham Street, Carlton

| Day 1: | Thursday | 9 February | 2023 |
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| Day 1: Thursday 9 February 2023 |                                                                                                                                                       |                    |  |  |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--|--|
| Time                            | Paper                                                                                                                                                 | Commenter          |  |  |
| 9.30-10.00am                    | Welcome and Housekeeping                                                                                                                              |                    |  |  |
| 10am-10.30am                    | Fleur Te Aho and Julia Tolmie (Auckland)     Rejections of state criminal jurisdiction over     Māori in Aotearoa New Zealand's courts                | Wayne Rumbles      |  |  |
| 10.30am-11am                    | <ol><li>Lisa Parker and Tracey Coleman (UniSA),<br/>Authentic assessment in criminal law.</li></ol>                                                   | Anna High          |  |  |
| 11am-11.30am                    | Chat about ChatGPT                                                                                                                                    | Jeremy Gans        |  |  |
| 11.30am-11.45am                 | Morning tea                                                                                                                                           |                    |  |  |
| 11.45am-12.15pm                 | 3. Penny Crofts (UTS) Cabin in the Woods: Complex causation and large organisations                                                                   | Jonathon Clough    |  |  |
| 12.15pm-12.45pm                 | 4. Liz Campbell (Monash) Client legal privilege and crime by corporations                                                                             | Jeremy Gans        |  |  |
| 12.45-1.15pm                    | 5. Wayne Rumbles (Waikato), Invisible crime:<br>Smart homes, smart cities and smart crime                                                             | Tyrone Kirchengast |  |  |
| 1.15pm-2pm                      | Lunch                                                                                                                                                 |                    |  |  |
| 2.30pm-3pm                      | 6. Jianlin Chen (Melbourne), Sexual offence as fraud regulation: Fraudulent sex criminalization in Asia                                               | Luke McNamara      |  |  |
| 3pm-3.30pm                      | 7. Andrew Dyer (Sydney) How should English law deal with deceptive sex?                                                                               | Tony Nisbett       |  |  |
| 3.30pm-4pm                      | 8. Anna High, (Otago), Legislating consent: Substance and symbolism                                                                                   | Jamie Walvisch     |  |  |
| 4pm-4.15pm                      | Afternoon tea                                                                                                                                         |                    |  |  |
| 4.15pm-4.45pm                   | 9. Natalia Antolak-Saper (Monash) Unrepresented accused in criminal matters in the Magistrates' Court of Victoria                                     | Julia Tolmie       |  |  |
| 4.45pm-5.15pm                   | 10. Tyrone Kirchengast (Sydney), Victim legal representation                                                                                          | Faith Gordon       |  |  |
| 5.15pm-5.45pm                   | 11. Faith Gordon (ANU), Open justice in the<br>Digital Age – Rights of children in the criminal<br>justice system                                     | Andy Roberts       |  |  |
| 6.30pm                          | <b>Dinner</b> Naughtons Hotel, 43 Royal Parade, Parkville <a href="https://naughtonshotel.com.au/menu.pdf">https://naughtonshotel.com.au/menu.pdf</a> |                    |  |  |

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Day 2: Friday 10 February 2023

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|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--|--|
| Time                           | Paper                                                                                                                                                                          | Commenter             |  |  |
| 9am-9.30am                     | 12. Gary Edmond (UNSW), Trial by cognitive ordeal: irrational modern approaches to trial integrity and proof                                                                   | Liz Campbell          |  |  |
| 9.30am-10am                    | 13. Julia Quilter & Luke McNamara (UNSW),<br>Text messages and social media posts as<br>evidence in rape trials: Insights from a<br>qualitative study of trial transcripts     | Natalia Antolak-Saper |  |  |
| 10am-10.30am                   | 14. Heather Douglas (Melbourne) and Robin Fitzgerald (UQ), Non-Fatal Strangulation prosecutions and complainant recantation.                                                   | Julia Quilter         |  |  |
| 10.30am-10.45am                | Morning tea                                                                                                                                                                    |                       |  |  |
| 10.45am-11.15am                | 15. Joseph Lelliott, Jonah Rimer, Rebecca Wallis (UQ), <i>The criminalisation of threats</i>                                                                                   | Stella Tarrant        |  |  |
| 11.15am-11.45am                | 16. Tony Nisbet (Edith Cowan) and Ken Yin,<br>Legal tests or testing logic: Begging the<br>question in deciding whether driving is<br>'dangerous'                              | Joseph Lelliot        |  |  |
| 11.45am-12.15pm                | 17. Stella Tarrant (UWA), The meaning of an<br>"offence" in Pickett and its implications for<br>prosecutors' decisions to prosecute where<br>there is evidence of self-defence | Andrew Dyer           |  |  |
| 12.15pm-1pm                    | Lunch and next steps                                                                                                                                                           |                       |  |  |

