



“How to be ethical in the practice of the law: can it be taught?”

5:30pm – 7:00pm, Monday 20 November 2017

**Ceremonial Court of the Federal Court of Australia
Level 21, Law Courts Building, Queen’s Square, Sydney**

The Australian Academy of Law extends a warm invitation to all to attend this, the final in a series of three ethics-themed debates held in Sydney this year. The theme of the debates is based on these objects of the Academy—to promote the highest standards of ethical conduct and professional responsibility, to enhance understanding and observance of the rule of law, and to provide a forum for debate and the interchange of views.

The topic raises an important and fundamental issue. Is there any point in attempting to teach "Ethics" to those who aspire to practise law or to those who are already in practice? Can a person "learn" to be an ethical practitioner? Associated with these questions are others. How can you inculcate good values in a person who does not already have them? Should we teach the common situations posing ethical conundrums that a lawyer might be expected to encounter in practice? To what extent is it about teaching individuals to be ethical versus changing wider cultures and contexts? These and other questions related to the topic will be addressed at the event.

Moderated by the **Hon Patricia Bergin SC**, former Chief Judge in Equity of the Supreme Court of New South Wales, the panel will comprise:

- **Professor Lesley Hitchens**, Dean, Faculty of Law, University of Technology
- **Professor Adrian Evans**, Professor and Solicitor, Faculty of Law, Monash University
- **Arthur Moses SC**, Barrister and President of the NSW Bar Association
- **Dr Simon Longstaff**, Executive Director of The Ethics Centre
- **Dr Justine Rogers**, Senior Lecturer, Faculty of Law, University of New South Wales
- **Paul Monaghan**, Law Society of New South Wales

Please register for this event at www.academyoflaw.org.au/event-2696751 by Friday 17 November 2017. There will be no charge for admission. You will also have the opportunity, when you register, to suggest a question to be posed to the panel.

Attendance may count towards satisfaction of MCLE requirements.



CHAIR AND MODERATOR:

The Hon Patricia Bergin SC

The Honourable P A Bergin SC was the Chief Judge in Equity of the Supreme Court of New South Wales from 2009 to January 2017, having been appointed to the Court in 1999 and serving as the Commercial List Judge from 2003.

Her work on the Court involved dealing with a very wide range of commercial disputes both at first instance and on appeal, including matters involving issues in commercial arbitrations, both domestic and international, and technology and construction disputes.

Ms Bergin retired from the NSW Supreme Court in January 2017 and from time to time serves as an International Judge on the Singapore International Commercial Court.



SPEAKERS:

Professor Lesley Hitchens

Lesley Hitchens is a professor of law at University of Technology Sydney, and, since 2013, Dean of the Faculty of Law. She practised in Australia and London and has held academic appointments at English and Australian universities. She is a member of the Legal Profession Admission Board and the Legal Services Council Legal Admissions Committee and a graduate member of the Australian Institute of Company Directors.

Lesley's research is in media and communications law and regulation.



Professor Adrian Evans

Adrian Evans is both a legal academic and a solicitor, with teaching and research histories in clinical case supervision, legal systems and legal ethics.

Adrian has published in relation to ethics for lawyers and law firms, 'quality' clinical-traditional links in law teaching, client attitudes to lawyers, the values of legal practitioners, monitoring and controlling lawyer corruption and the ethical environment in which lawyer's fidelity compensation is addressed locally and internationally.

He is currently exploring the emerging links between legal ethics and climate defence.

Adrian is Co-Associate Dean, Academic Resourcing at Monash Law School and a recipient of the Monash Vice-Chancellor's Award for Distinguished Teaching. His latest book is *The Good Lawyer*, Cambridge University Press, Melbourne, 2014. His next book with Christine Parker will be the 3rd edn of *Inside Lawyers' Ethics*, Cambridge, 2018.



Arthur Moses SC

Arthur Moses SC was admitted to the bar in 1993 and appointed Senior Counsel in 2008. He practises in a wide range of matters before all courts including commercial and competition law, disciplinary proceedings, government inquiries and public law, and civil and human rights.

Arthur is the President of the NSW Bar Council which is the designated local authority in NSW for a number of functions under the Uniform Law, including investigating practitioner misconduct and the issue and cancellation of practising certificates.

Dr. Simon Longstaff



Simon's distinguished career includes being named as one of AFR Boss' True Leaders for the 21st century, with Carol Schwartz noting; "I don't know one CEO or chairman in corporate Australia who has not worked with Simon Longstaff". Simon Longstaff began his working life on Groote Eylandt (Anindilyakwa) in the Northern Territory where he worked in the Safety Department of the then BHP subsidiary, GEMCO. He is proud of his kinship ties with members of the island's Indigenous community.

Following a period studying law in Sydney and a brief career teaching in Tasmania, Simon undertook postgraduate studies in philosophy as a Member of Magdalene College, Cambridge. Simon commenced his work as the first Executive Director of The Ethics Centre in 1991. Simon is a Fellow of CPA Australia and in June 2016, was appointed an Honorary Professor at the Australian National University – based at the National Centre for Indigenous Studies.

Formerly serving as the inaugural President of The Australian Association for Professional & Applied Ethics, Simon serves on a number of boards and committees across a broad spectrum of activities. He was formerly a Fellow of the World Economic Forum.

Dr. Justine Rogers



Dr Justine Rogers is a Senior Lecturer at UNSW Law. Justine researches and teaches in professions, professional work and professional ethics. Her research examines how the changing nature of professions raises urgent global challenges for issues of ethics, identities, expertise, and ultimately the public good. Justine is currently Chief Investigator of an ARC linkage grant with the Professional Standards Council on the future of the

professions.

Justine is also convenor of UNSW Law's core UG and JD applied ethics course, for which she was appointed in 2013 to design. Her teaching innovations, centred on group-based deliberative ethics, have been recognised and replicated nationally and internationally. Justine was an Academic of the Year Finalist (2016) in the Annual Australian Law Awards, and Women Legal Academic of the Year Finalist (2016). Her course is used at UNSW as an exemplar of blended learning (in which classroom learning is integrated with online).

Justine has taught and consulted on ethical culture and infrastructure to the legal profession, law firms and a major bank. She has been invited to write on ethics and its meanings in a range of different professional contexts, including, for lawyers, the lying negotiator and the bully opponent or judge, and, for doctors, examining the unconscious patient.

Paul Monaghan



Paul Monaghan is the senior ethics solicitor for the NSW Law Society, who has practiced as a solicitor in private firms, government and in-house positions. He is a regular speaker for the Law Society on ethics topics and will be presenting a new series on current ethics issues for the legal profession over the next year with a particular interest in corporate governance and ethics.

He has recently contributed to the drafting of the new Australian Solicitors' Conduct Rules and national legal reform project and The International Bar Association 'International Principles on Conduct for the Legal Profession'.

His qualifications and professional affiliations include a Bachelor of Commerce (Economics); Bachelor of Laws; Masters of Business (Banking and Finance); Graduate Diploma in Military and International law and a Graduate Diploma (Company Secretarial Practice).