

THE OBITER



ISSUE 4 2017

MELBOURNE, AUSTRALIA

LEO CUSSEN WRITING COMPETITION
CROSSWORD
THE VALUE OF GETTING INVOLVED



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Practical Legal Training (PLT)

Information Session 12 October 2017



Leo Cussen Centre for Law holds information sessions for those who have applied for the **Onsite and Online Practical Legal Training Course** and for those who are interested in applying for either course.

The next Information Session will be held:

Time: 5:00pm–7:00pm

Venue: Leo Cussen Centre for Law
Level 1, 360 Little Bourke Street,
MELBOURNE VIC 3000

Take a tour of Leo Cussen Centre for Law's training facilities in the heart of Melbourne's CBD and listen to presentations about our comprehensive and highly respected Practical Legal Training Course. Learn more about the Leo Cussen Centre for Law experience and how you will learn to practise law in a professional, yet friendly and engaging environment. You will also have the opportunity to meet with current Leo Cussen Centre for Law trainees, along with graduates who are now practising law.

Light refreshments will be provided.

Please register to attend:

www.leocussen.edu.au/info_session

E: pltadmin@leocussen.edu.au

T: 03 9602 3111

Practical Legal Training (PLT)

Information Session 12 October 2017

About Leo Cussen

Leo Cussen has been operating since 1972 and we continue to be recognised as a centre of excellence for providing high quality practical legal training. Our Graduate Diploma in Legal Practice is highly comprehensive and well respected by the legal profession.

At Leo Cussen our trainees learn how to practise law in a very professional, yet friendly and engaging environment. In our online blended learning program, you work predominantly online but with 13 days of face-to-face instruction to give you a more personalised mentoring program. Alternatively, you can undertake our full-time onsite course from Melbourne's CBD, where we find your professional placement for you.

We believe that practical legal training should be just that, practical. That's why both our onsite and online training programs incorporate small group training, comprehensive and personalised mentoring and feedback, to provide the finest practical training experience.

Why Leo Cussen

- Established since 1972, excellent reputation.
- Highly practical course with 'learning by doing' and no exams.
- Small group training to provide the finest practical training experience.
- Develop excellent advocacy skills through civil and criminal file work.
- Build skills and confidence with a personalised mentoring program.

- Thorough and challenging with a simulated file program to best prepare you.
- Our graduates work in a range of legal and professional environments around the world.
- Access to career support services through graduate placement and career advisor.

Who can apply

- Graduates of Australian law schools.
- Practitioners admitted in overseas jurisdictions.
- Australian citizens and permanent residents.

How to apply

Please complete your application online at:
www.leocussen.edu.au/apply.

If you are unable to complete your application online, please phone **03 9602 3111**

or email enrolment@leocussen.edu.au
and we can arrange to send you a hard copy.

We believe that Practical Legal Training should be just that – practical.

PRESIDENTS REPORT

Hi everyone,

This year has flown by so quickly – I can't believe that the end of semester two is in sight already, where did the time go? Along with the end of semester, that means the end of the current Dictum Society Committee's term is also fast approaching. This will be the last letter that is published in The Obiter for 2017 before we hand the reigns over to the next Director of Publications!

After this letter, I've compiled a list of all of the people who have contributed to Dictum Society during our 2016/17 term. Dictum Society has had a fantastic year, and all of you have played a crucial role in all of our successes and have supported myself and one another whenever it was needed. We have managed to get 50 additional people involved after elections! I am extremely proud of our Directors for generating this much interest to participate in the Society and impressed by all of the Co-Opted Members who stepped up to the plate. Thank you for your support!

Our Annual General Meeting (AGM) is running on 26 October 2017 at 6PM (room TBC) which means it is time to select your representatives for the 2017/18 term. Please consider putting your hand up and coming along to engage with the election to ensure you are represented the way that you want to be, by who you see as the best fit. For more information about the AGM, head to www.dictumsocietyvu.com/agm2017/ for more information on the agenda. I am also proud to announce that as I promised in the 2016 AGM – our Executive team will be putting forward a new Constitution for your consideration. You can find this at the above link too!

I would also like to give a shout out to everyone who attended the Law Ball. You all looked sensational, and I hope your night was as beautiful as you all were! Photos from the evening will be uploaded to our Facebook page early next week.

Good luck to all of you in finishing up semester two and your exams! I hope to see many of you at our AGM. Have the best summer break, and thank you for the pleasure and privilege of serving you as President for 2017/18.

Yours sincerely,
Meghann Clark



DICTUM SOCIETY COMMITTEE

2016/2017

Teni Sarris – Vice President

Lachlan Martin – Secretary and Acting Treasurer

Madaline Calabro – Previous Treasurer

Justin Bailey – Previous Director of Activities

Bol Mathiang – Director of Activities

Francis Killackey – Previous Director of Careers

Justin Howard – Previous Director of Careers

Katrinka Barrett – Director of Careers

Susan Thomas – Director of Competitions

Jasmine Alcon – Director of Education

Lee West – Previous Director of Equity

Melissa Arsov – Director of Equity

Akoi Arok – Director of Publications

DICTUM SOCIETY CO-OPTED

MEMBERS 2016/2017

Georgia Murphy – Marketing Officer

Brittany Reiner – Previous Activities Officer

Bol Mathiang – Previous Activities Officer

Humera Ginai – Activities Officer

Celil Kardaslar – Activities Officer

Juma Makuer – Activities Officer

Toni McGrath – Previous Careers Officer

Ashley Barnsley – Careers Officer

Rhiannon Foley – Previous Competitions Officer

Jonathon Barlow – Previous Competitions Officer

Julia Stewart – Previous Competitions Officer

Stacey Stanley – Previous Competitions Officer

Pavithra Jayasekera – Competitions Officer

Malaz Dewanyang – Competitions Officer

Trent Van Der Peet – Competitions Officer

Karl Cabral – Competitions Officer

Eren Tanyol – Previous Education Officer

Will Kleppsch – Education Officer

DICTUM SOCIETY CO-OPTED MEMBERS 2016/2017

Lucas Sall – Education Officer/Careers Services Working Party Member/
Teaching and Learning Working Party Member

Annalise Jackson – Education Officer/Teaching and Learning Working
Party Member

Thomas Diprose – Previous Publications Officer

Jacqueline Wilcock – Previous Publications Officer

Alice Growden – Previous Publications Officer

Annette Fassioms – Publications Officer

Saverio Rocca – Publications Officer

Kira Allen – Publications Officer

Fariha Arefin – Publications Officer/Teaching and Learning Working
Party Member

Shimi Spigler – Publications Officer

Sheridan Buesnel-May – Disability Services Working Party Member

Debbie Masih – Disability Services Working Party Member

Claudia Papaluca – Disability Services Working Party Member

Salima Catherine – Disability Services Working Party Member

Benjamin Burdett – Previous Disability Services Working Party Member

Abbey Mason – Careers Services Working Party Member/
Previous 1LSC First Year President

DICTUM SOCIETY CO-OPTED

MEMBERS 2016/2017

Liam Currie – Careers Services Working Party Member/Previous
1LSC First Year Vice President

Stephanie Dakin – Previous Careers Services Working Party Member

Benjamin Willis – Previous Careers Services Working Party Member

Katia Ercoles – Careers Services Working Party Member/ Previous
1LSC First Year Executive Officer

Ruth Crespo – Careers Services Working Party Member

Anastasia Pochesneva – Teaching and Learning Working Party

Jessica Askandr – Teaching and Learning Working Party/ Previous
1LSC First Year Activities Officer

Bronwyn Tolhurst – Teaching and Learning Working Party

Jessica Monteriso – Teaching and Learning Working Party

Christian Tzilantonis – Previous 1LSC First Year Careers Officer

Danielle Hagan – Previous 1LSC First Year Education Officer

Derek Maota – Previous 1LSC First Year General Officer

Jasmine Garnet-Carroll – Previous 1LSC First Year General Officer

Amy Quaye – Previous 1LSC First Year General Officer

Dalton Alexander – Previous 1LSC First Year General Officer



LEO CUSSEN WRITING COMPETITION



Dictum Society would like to thank Leo Cussen for proudly sponsoring its writing competition this year and awarding each winner, from each issue with a \$100 prize. With each sponsorship, the Obiter this year has been able generate a greater engagement with our student body. We would also like to thank all our members who participated in the Leo Cussen Writing Competition and sent through various submissions for each issue.



LEO CUSSEN WRITING COMPETITION

'The foundation of our legal history strongly connects us historically to other nations, other than just the UK and the US. Discuss.'

It is without doubt that Australia shares much of its legal history with both the United States of America and the United Kingdom, because Australia was settled by the U.K. And our legal system has been modelled off a combination of the two systems. However, whilst it is relatively short when compared to other countries, Australia's legal history is impacted by more than just those two examples.

Being our closest cousins Australia shares an extensive legal and cultural history with New Zealand. Australia and New Zealand were settled by Britain, and remain to this day part of the Commonwealth. During the time of settlement New South Wales was the central colony for both New Zealand and the south-east region (including Victoria) of Australia. It wasn't until 1841, after the signing of the Waitangi treaty that New Zealand separated itself from the Australian colony. A brief time after the separation, during the time of the Australian federation, there was discussion as to whether New Zealand should become the 7th state of Australia. However, it soon became clear that New Zealand was better off remaining as a separate and independent country.

It is impossible to discuss the relationship between the two countries without mentioning the ANZAC tradition. It is both central to the national identities of Australia and New Zealand, whilst also serving as a significant reminder of the relationship they share. The Australian and New Zealand Army Core (ANZAC's) served together during the First World War, with both commiserating the landing of Gallipoli on April 25th 1915.



LEO CUSSEN WRITING COMPETITION

This relationship was relied on once again during the Second World War. In 1944, due to fear of attacks from Asian forces, both signed the Canberra Pact, which essentially created an agreement that both countries would defend and assist one another if either were attacked by foreign forces.

The close relationship between both Australia and New Zealand is still present to this day. An example of this alignment can be seen in New Zealand's participation in the Council of Australian Governments (COAG). New Zealand first participated in COAG in 1992, and by early 2000's it had either been a member or observer of approximately half of the COAG councils. The modern-day travel agreements between the two also shows the historical significance of their legal relationship. Under the Trans-Tasman Travel Arrangement, New Zealanders are able to enter Australia freely as well as allowing them to work and live in Australia indefinitely. By the year of 2013, approximately 15% of New Zealand's population were living in Australia.

Australia also shares a close legal history with Canada. Like New Zealand, Canada is a part of the British Commonwealth, thus it has allowed for the formation of a close legal relationship. After the rebellions within Upper and Lower Canada between the years of 1837-38, the failed rebels were sent to Australia as convicts. Thus, marking the beginning of the legal relationship between the two.



LEO CUSSEN WRITING COMPETITION

Australian military forces also served alongside their Canadian counterparts, from which they developed and shared intelligence as well as formulated treaties. There are currently 29 treaties between the two countries that cover areas such as trade, weaponry and science.

A country that is not often thought of when discussing Australian legal history is China. However, the relationship between the two can be traced throughout Australian history itself. During the gold rush era, many Chinese miners flocked to the gold fields in New South Wales and Victoria. By the year 1861 there was an estimated 40,000 Chinese people living within Australia. During this time, the Australian (namely Victorian) authorities placed hefty restrictions upon Chinese immigration, one of which was the *Chinese Immigration Act 1855* (Vic). It essentially restricted the number of Chinese immigrants that could enter through a Victorian harbor by placing a 'head tax' of 10 pounds upon them and the amount of gold they could export. Whilst this history may not be viewed positively it still serves as a part of Australian legal history, as it is said that the *Chinese Immigration Act (1855)* (Vic) formed the foundation for the White Australia policy.

While Australia does share a long legal history with the U.K. and the United States, it is important to recognize that other countries have played an important role in the formation of legal system. By a necessary extension they have also helped formed Australia as whole.

Carrie Jones

CAREERS

The careers portfolio, held a PLT seminar in early September. In which we had representatives from ANU, Leo Cussen Centre for Law and College of Law attend and provide valuable information on their PLT programs for students. This session was informative because in addition to the representatives, we had VU alumni from the various institutions who provided insight into their real experiences and let us know the reasons behind their choices, how they managed to get by while working and completing the program and so much more. The session, particularly given the question and answer nature of it allowed VU students to interact and obtain answers to any questions or thoughts they may have had.

We produced some notes on the session and emailed these out to all our members so everyone could obtain the benefit even if they were unavailable to attend the session. Hopefully, you gained some real clarity around PLT and it makes your choices a lot simpler when the time comes.

Good luck for your last assessments and exams!

Katrinka Barrett

Careers Portfolio

careers@dictumsocietyvu.com

EDUCATION

This semester for the education portfolio has been exciting! We have successfully organised the Peer-to-Peer Mentor Program for the second semester, offering it to first year students and to the new intake of first year students for this semester. **A big shout out to the mentors who have volunteered and participated in this program! Thank you to every mentor that has participated this year - I cannot thank you enough for your time and efforts!**

The Director of Education is currently facilitating a Teaching and Learning Working Party, where members are doing research on the First Year Model, teaching and academic services for mature aged students and students where English is not their first language. The Teaching and Learning Working Party is also reaching out to other tertiary institutions and requesting data about their Law School teaching staff!

It has been a pleasure running the education portfolio this year, and one of the last things the portfolio is working on is the handover for the future Director of Education to ensure that they can help with student engagement and improve programs and events, or think of new programs and events. If you're interested in running for the position of Director of Education at the coming Annual General Meeting, I am more than happy to answer any questions at education@dictumsocietyvu.com.

A special mention to Lucas, Annalise and Will for your help as Education Officers this semester, where the events and programs mentioned above would not have occurred without the assistance of these three lovely people.

Jasmine Alcon
Education Portfolio
education@dictumsocietyvu.com

PUBLICATIONS

Dear all,

With the final release of The Obiter this year, Dictum Society's publications team would like to say thank you to everyone who has contributed and assisted with improving the publication thus far this year. We'd firstly like to thank everyone outside the Publications team who has taken part in submitting, editing and proof reading, particularly executive members and directors from the committee.

The help the publications team has received from everyone this year has helped in bringing in positive change and positive feedback. We've seen a greater engagement and interaction from members from our student body and the publication this year. We'd also once again like to thank Leo Cussen for sponsoring the Leo Cussen Writing Competition this year, which has had a profound influence in making the publications goal of growing engagement with its readers possible.

The year for the publications team has been a year of many lessons learned and with the experiences and lessons we've acquired so far, we hope we'll be able to pass them on onto the next publications team and assist in the growing the publication even more next year.

We wish you all the best with your exams!

Akoi Arok
Publications Portfolio
publications@dictumsocietyvu.com



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The College of Law is Australasia's largest provider of Practical Legal Training (PLT), with campuses in Brisbane, Melbourne, Sydney and Perth. We also conduct programs in Adelaide, Canberra and regional Queensland, as well as onsite sessions in London. The College of Law's PLT program leads to the award of a Graduate Diploma of Legal Practice (GDLP) which makes you eligible to apply for direct admission to your state or territory.



THE VALUE OF GETTING INVOLVED

Like many people I left high-school with big plans and expectations. I had gotten into my dream course that was going to allow me to fulfil a lifelong dream of becoming a lawyer, with the bonus of being able to undertake a double degree, which would increase my employment opportunities.

Essentially, I had a 10-year plan. Go to university, get nothing but High Distinctions, get plenty of work experience, make loads of new friends, graduate, travel the world with my boyfriend then come home, settle down get married and of course get a killer job earning loads of money.

Can somebody please go back and shake 18-year-old me?

Anyway, fast forward five years, I'm over halfway through my 10-year plan and pretty much nothing has gone to plan. I have changed my business major for the third time, which means I am not graduating when I thought I would be, my grades are less than perfect, I broke up with my high-school sweetheart and whilst I have a fantastic internship, it is not in an area I ever thought to consider when I was younger. To top it all off, after feeling increasingly down for a long time, I was diagnosed with depression and anxiety.

At times getting out of bed in the morning seemed like an impossible task. But the one thing that has gotten me through it all is the fantastic community I have built around myself. I found an adult swim squad (I was always a swimmer) and have since joined their club. With training starting at 6 am, it is very tempting to hit that snooze button and go back to sleep, but it is the people I share my lane space with that keep me coming back every morning.

The same goes for my involvement with Dictum. I went through a period where going to class was something I avoided. I found all sorts of excuses and made all sorts of promises to myself but in reality, due to my mental health, I simply didn't want to be there.

But now, after becoming involved with Dictum Society, getting to know so many new people, I am going to class again and am enjoying my time at university more than ever. Earlier this year I went to a meeting, before anyone other than a few Dictum members knew my face, as I introduced myself it was uplifting to see how many people smiled and said with genuine enthusiasm “oh! You’re Georgia!”.

Honestly, becoming involved with various things and creating a community of people around myself is one of the greatest things I have ever done. I cannot even begin to explain how much it has improved my self-confidence and how rewarding I find every day. Nearly every day I go to bed thinking about how I have achieved something, even if it is small. In large it is because of my role within Dictum Society.

There is a lot of enthusiasm and work that goes into this little law society and I couldn't be prouder to say that I am, in some small way, a part of it.

Georgia Murphy



5 REASONS WHY YOU SHOULD ATTEND YOUR LAW BALL

Just as much as the next law student, there is nothing I love more than a good stress reliever, and by far I'm convinced that law ball is the number one event to mark in your calendars and not to miss. It is usually held just after the assignment rush and before the mid-semester break and before the exam madness, so it's a good way to begin your little break. I attended my first law ball last year as a new and fresh first year law student and let me tell you I was not disappointed at all! And so of course naturally I attended this year as well and I have officially decided I absolutely love law balls. I think they are a wonderful experience every law student should experience at least once during their degree and so below are my top 5 reasons as to why you should attend your next law ball!

1. DRESSING UP

Okay, who doesn't love dressing up and more importantly dressing up with a theme in place! The one factor that makes law ball so much fun is the fact that every year there is a different new theme, which the student body have a say in choosing.

2. AWESOME GROUP PHOTOS

If you decide to go to the law ball, then without a doubt you're most likely going to try to bring along a few friends, and once you get there and find out there's either a free photo booth somewhere in the corner or a photographer about the venue taking high quality photos of anyone for free, you will take advantage of it, trust me.

Your Facebook profile photo is already set for the next year. And what's more fun than taking awesome group photos with your friends!

3. DANCE FLOOR

If you think you can't dance or are the usual wall flower at social gatherings then let me tell you now, by the end of the night you will be dancing. Law ball brings out a positive vibe which just leads everyone to the dance floor. There is no judgement. Everyone is just having fun.

4. NEW FRIENDS

As stated above with law ball there is just a positive atmosphere about. Everyone is mingling, and so the awkwardness of approaching new people and starting conversations is somewhat not as dreadful. And so regardless of whether you're a first-year student still navigating their way in law school or a somewhat socially awkward person, you will have made at least one or two new contacts by the end of the night.

5. LIFE EXPERIENCE

You can then tick attending a law ball off your bucket list of things to do as law student, and treasure the experience. Perhaps the next thing on the list could be, join a law society.

Akoi Arok



MY EXPERIENCE MICHAEL KIRBY MOOT 2017

It all started in my first semester , week 3, the junior moot. I had no idea what I was doing but signed up anyway. My team mate and I were knocked out in the quarter finals by the eventual winners. No shame in defeat there! But I needed another shot at redemption and the Senior moot was planned to run next in week 8. I'd skipped my contracts lecture where we were learning about 'remoteness', the judge asked me about the case of *Hadley v Baxendale*. I was in over my head again. Knocked out by the eventual winners! It was mid semester break when the Kirby problem was released. I signed up.

I was asked to write a summary of my experience of the Michael Kirby Moot 2017. An inter-university contract law moot held at our very own City Queen campus annually, with the final being heard before the Honourable Michael Kirby AC CMG. Below are my recollections of the great experience that was.

Teamwork. What's a 'smart contract'? Case Base. Coffee. Pizza. Contract law. Uni on a Saturday. Bonney upwelling? Google. Contract Law. Read. Type. Format. Claimant Submission. Claimant has the stronger case for sure. Skype. Carters Breach of contract. Cheshire & Fifoot. Facebook messages. Lots of emojis. GIFS. Emails. Uni on Saturday!? Is it even open? 8am!? Get kicked out by security, its late, very late. Coffee. Contract Law. Case Base. Respondent submission.

Far out this moot is so weighted towards the Respondent! Research. Coffee. Coffee. Practice. Coffee. Practice. Skype. Practice. Discover new applicable law. Coffee. Throw out your original speech. Practise. Meeting. Pizza. Girlfriend still there? “I love you”. Practise. Watch YouTube moot. Uni? Moot. Practise. Practise. Write a summary of script. Practise. Free breakfast! Free coffee! Yes! Size up the competition. You’re better than them. Aren’t you? Who cares that they won last year, that was last year. Queensland University of Technology? Technology!? Go build a computer or something. Present your case. Confidently. As confidently as your nerves allow. Mid semester break? No thanks. Present your submissions again. Different judges. Damn. These ones ask more questions than the last. Yes, I do know there was an opportunity to mitigate losses, I’ll attend that in my last submission (If you let me get there!), not my opening statement. Thanks. Didn’t make the finals. Bugger. When does registration open for next year? We’ll win it next year. That was fun.

Team #1 VU: Nikki H. (Coach), Ryan H. Caitlin K.
Benjamin W. Danielle H.

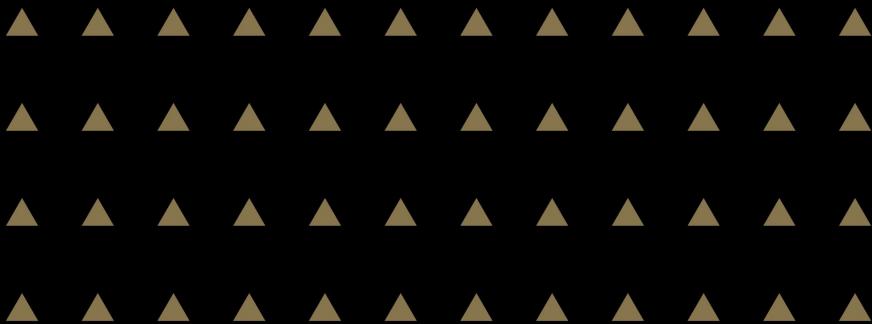
Trent Van Der Peet



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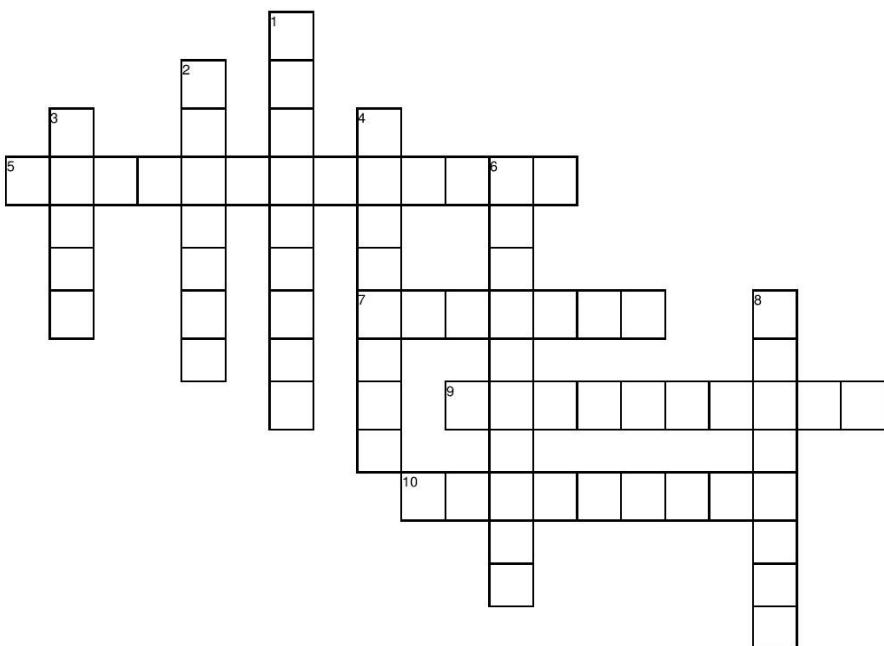


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LAW & LAWYERS



Across

- 5. The theory or philosophy of law
- 7. Guidance
- 9. A person who controls discussions for settlement
- 10. An Attorney commonly associated with office work

Down

- 1. Term for a lawyer who commonly stands publically in Court
- 2. Lawfulness, fairness
- 3. A person who arbitrates in Court
- 4. A person who supports an idea or cause publically
- 6. Legal Adviser
- 8. Lawyer

9. Negotiator - A person who controls discussions for settlement
 2. Justice - Lawfulness, fairness
 3. Judge - A person who arbitrates in Court
 5. Jurisprudence - The theory or philosophy of law
 10. Solicitor - An attorney associated with office work
 1. Barrister - Term for lawyer who commonly stands publicly in court on behalf of someone
 8. Attorney - Lawyer
 7. Counsel - Guidance
 6. Counsellor - Legal adviser
 4. Advocate - A person who supports an idea or cause publically

ANSWERS:



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