



WARREN CENTRE FOR CIVIL JUSTICE

CENTRE FOR COMMERCIAL LAW AND REGULATORY STUDIES (CLARS)

Private law and the courts in an age of disruption: Bending, breaking or restating?

29-30 October 2026
Monash University Law Chambers
555 Lonsdale Street, Melbourne VIC 3000

Thursday 29 October

Time	Event	Location
9:00 – 9:30am	Registration and Coffee	Reception (Level 1)
9:30 – 9:45am	Welcome Dr. Lucas Clover Alcolea, Dr. Brandon D. Stewart, Professor Genevieve Grant, Director, Warren Centre for Civil Justice, and Associate Professor Steve Kourabas, Deputy Director, CLARS	Auditorium (Level 1)
9:45 – 10:35am	Keynote Address <i>Disruption, Resilience and Legal Change</i> The Honourable Justice Mark Leeming Judge of Appeal of the Supreme Court of New South Wales With introductory remarks by Professor the Honourable Marilyn Warren AC KC, Vice Chancellor's Professorial Fellow, Monash University	Auditorium (Level 1)
10:35 – 10:45	Break	Reception (Level 1)

10:45 – 12:00pm	Panel 1 – Judicial Reasoning in an Age of Disruption Chair, The Honourable Justice Mark Leeming <i>Between Principle and Pragmatism: Judicial Reasoning and the Limits of Private Law Reform</i> Her Honour Judge Sharon Burchell FRSN, Vice-President of VCAT and Head of Commercial Division, County Court Victoria, and Alexandria Peck, Associate <i>Mapping Newcomer Injunctions</i> Dr. Philip Gavin, UCL Faculty of Laws <i>Disruptive Private Law Reasoning</i> Dr. Brandon D. Stewart and Dr. Lucas Clover Alcolea, Monash University Faculty of Law <i>The problem with incrementalism</i> Matthew Blundell, Sydney Law School	Auditorium (Level 1)
12:00 – 12:40pm	Lunch	Reception (Level 1)
12:40 – 1:55pm	Panel 2A – Challenging Corporations Law Chair, Associate Professor Steve Kourabas, Monash University Faculty of Law <i>Vicarious liability and the subsidiary company</i> Dr. Duncan Wallace, Monash University Faculty of Law <i>Artificial Intelligence and Directors’ Duties: Courts and Institutional Restraint in Australian Corporate Law</i> Associate Professor Akshaya Kamalnath, ANU Law School, and Dr. Zehra G. Kavame Eroglu, Deakin University <i>Climate Litigation Disrupting Corporate and Financial Law: Judicial Caution in an Era of Climate Risk</i> Rebekkah Markey-Towler, Dr. Ella Vines and Associate Professor Anita Foerster, Monash Business School Panel 2B – Contracting in an Uncertain Future Chair, Professor Katy Barnett, Melbourne Law School	Auditorium (Level 1) Seminar Room TBA

	<i>The Contradistinction in the Penalty Doctrine in Australia: Why the High Court of Australia Missed a Golden Opportunity in the Andrews v ANZ Bank Case</i> Associate Professor, Emmanuel Laryea, Monash University Faculty of Law <i>Privacy, Contract, and AI: A New Risk in the Insurance Game</i> Dr. Mark Giancaspro, Adelaide University Law School <i>Governing AI Usage in Consumer Level Contracting</i> Alicia Wright and Reiko Okazaki, Monash University Faculty of Law	
1:55– 2:10 pm	Break	Reception (Level 1)
2:10 – 3:45 pm	Panel 3 – Empirical Legal Insights Chair, Professor Genevieve Grant, Monash University Faculty of Law <i>An Empirical Study of Family Provision Litigation</i> Associate Professor Ben Chen, Sydney Law School <i>Restating Redress: How Accountability-Seeking in Digital Callouts Challenges Private Law in an Age of Disruption</i> Dr. Nyssa Bull, University of Western Australia Law School <i>Theory to Data: Computational Analysis of Property Concepts</i> Dr. Tobias Barkley, La Trobe Law School	Auditorium (Level 1)
3:45 – 3:55 pm	Break	Reception (Level 1)
3:55 – 5:30 pm	Panel 4 – Property in a Digital and Statutory Age Chair, Dr. Lucas Clover Alcolea, Monash University Faculty of Law <i>Does Australia need digital assets legislation?</i> Professor Katy Barnett, Melbourne Law School <i>Digital Assets in Private Law: Taxonomy, Remedies, and Practical Consequences</i> Gavin Choong and Professor Andrew Godwin, Melbourne Law School <i>A perspective on statutory property</i>	Auditorium

	Joseph Wright, Solicitor, Mallesons <i>The role of the executor in the digital world: access to the estate with particular reference to letters and emails</i> Professor Prue Vines, UNSW Faculty of Law and Justice	
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Friday 30 October

Time	Event	Location
8:00 – 8:30am	Registration and Coffee	Reception (Level 1)
8:30 – 9:45 am	Panel 5 – Disrupting Tort Law Doctrine Chair, Professor Emeritus Barbara McDonald, Sydney Law School <i>Modelling Liability for Artificial Intelligence</i> Professor Donal Nolan, Oxford University <i>Defamation: A Tort Like Any Other?</i> Professor David Rolph, Sydney Law School <i>User Damages and the Price of Breach of Privacy</i> Jae J. Kim, Senior Associate, Bell Gully <i>AA v. Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle: Disruptions to the Non-Delegable Duty Doctrine</i> Associate Professor Neil Foster, University of Newcastle	Auditorium (Level 1)
9:45am – 10:00am	Break	Reception (Level 1)
10:00am – 11:35am	Panel 6 – Trusts / Equity Panel Chair, Professor Pauline Ridge, ANU Law School <i>Bending without Breaking? China's Special Needs Trusts and the Measure of Transplant Success</i> Professor Rebecca Lee, The University of Hong Kong	Auditorium (Level 1)

	<i>Australian Class Actions and Systemic Unconscionability</i> Professor Simone Degeling, UNSW Faculty of Law and Justice, Professor Jodi Gardner, Auckland Law School, and Professor Michael Legg, UNSW Faculty of Law and Justice <i>The disgorgement remedy in fiduciary law</i> Dr. Moshood Abdussalam, University of Otago <i>A speculation: restraining trustee adventures in the crypto-sphere</i> Professor M. Scott Donald, UNSW Faculty of Law and Justice	
11:35-12:25	Brunch	Reception (Level 1)
12:25 – 1:40pm	Panel 7 – Online Consumer Protection Chair, Professor Chris Marsden, Monash University Faculty of Law <i>Private law liability for scams on a platform: incentives to change or too big to care?</i> Professor Jeannie Marie Paterson, Melbourne Law School <i>“Wicked Problems” in Search of Tort Law Solutions: Selected Fintech Issues</i> Dean and Professor Lee Pey Woan and Assistant Professor Rachel Phang, Yong Pung How School of Law, Singapore Management University <i>From Immunity to Accountability: Digital Platforms, Duties of Care and Algorithmic Harm</i> Dr. Neerav Srivastava, RMIT Department of Law, and Associate Professor Normann Witzleb, Chinese University of Hong Kong Faculty of Law	Auditorium (Level 1)
1:40pm- 1:50pm	Closing Remarks Dr. Lucas Clover Alcolea and Dr. Brandon D. Stewart, Monash University Faculty of Law	Auditorium (Level 1)