

LSAANZ CONFERENCE ONLINE 2020

A series of topical socio-legal events Mon 30 Nov -
Fri 4 Dec 2020

<https://events.humanitix.com/tours/lsaanzconference>

Law and Society Association of Australia and
New Zealand (LSAANZ)

WELCOME

In previous years, before the Covid pandemic, members of the socio-legal community in Australia and New Zealand would now be looking forward to the LSAANZ annual conference. The annual conference of the Law and Society Association of Australia and New Zealand has been the key activity on our calendar for many years. It provides a valuable opportunity for us to share our ideas, research and scholarship, listen to and engage in discussions about others' work and meet old and new colleagues. Over recent years, memorable conferences have been held at Southern Cross University at the Gold Coast (2019), the University of Wollongong (2018) and the University of Otago, Dunedin (2017). In 2020, we were very much looking forward to hosting the conference at the Faculty of Law, University of Technology Sydney (UTS). Unfortunately, as with so many activities this year, we are unable to hold the conference in the usual way.

As an alternative, we are delighted to present an exciting program of online sessions held over a week (30 November - 4 December 2020). These sessions reflect a diverse range of topical and timely areas of socio-legal research and activities. There are three panel sessions covering the areas of Linguistic Diversity as a Challenge for Legal Policy; Covid19 and Sites of Confinement; and Covid19, Immigration and the Intensification of Borders. See the program below and online for further details of speakers and topics.

Each year, LSAANZ awards three publication prizes for outstanding contributions to the field of law and society by an Australian or New Zealand scholar, across three categories: for a published scholarly book/monograph, a published scholarly article or book chapter, and to an early career researcher (ECR) for work nominated for consideration under one or either of these categories. This year, we had a record number of submissions and the winners will be announced at a session, together with an author-meets-reader conversation with the book prize winner.

There are two publication launch events. The report, *'No Straight Lines': Self represented litigants in family law proceedings involving allegations about family violence*, sponsored by ANROWS, the Australian National Research Organisation for Women's Safety and written and researched by members of the UTS Faculty of Law, will be launched, including an overview of key findings and themes and recommendations.

We are also very excited to announce the launch of a new journal, *Legalities*, the official journal of the Law and Society Association of Australia and New Zealand (LSAANZ), and the premier journal for socio-legal studies in Aotearoa, Australasia and the Global South. An international journal with a strong regional base, *Legalities* will publish contextually sensitive, theoretically

informed, critically engaged and interdisciplinary socio-legal scholarship. *Legalities* is cosponsored by LSAANZ, the Southern Cross University School of Law and Justice and published by Edinburgh University Press. This session offers an opportunity to meet the managing editors and members of the Editorial Board.

Each event will be approximately 1 - 1.5 hours (with 2 hour window period allocated). All events are open to everyone and are free of charge. However, we request that you register your attendance for each event that you want to attend at the registration site <https://events.humanitix.com/tours/lsaanz-conference>.

We thank the UTS Faculty of Law and Tina Huang for assistance and look forward to seeing you online in December!

Warm wishes,

Laura Smith-Khan, Linda Steele, Terri Libesman and Trish Luker (LSAANZ President)

**UTS Faculty of Law and Convenors LSAANZ 2020 on
behalf of
LSAANZ Management Committee**

We acknowledge the ongoing sovereignty of Gadigal and Guring-gai people of the Eora Nation upon whose ancestral lands UTS stands and all the traditional owners on whose lands the work represented in the program has been conducted. We pay respect to the Elders past, present and emerging, acknowledging them as the traditional custodians of knowledge for these places.

SESSIONS

All sessions will take place online. Please register your attendance for each event you would like to attend here

<https://events.humanitix.com/tours/lsaanzconference>. You will then receive confirmation and Zoom link via email.

	10am-12pm (AEDT Vic/NSW) 9am-11am (AEST QLD) 9:30am-11:30am (ACDT SA) 12-2pm (NZDT)	12-2pm (AEDT Vic/NSW) 11am-1pm (AEST QLD) 11:30am-1:30pm (ACDT SA) 2-4pm (NZDT)	2-4pm (AEDT Vic/NSW) 1-3pm (AEST QLD) 1:30pm-3:30pm (ACDT SA) 4-6pm (NZDT)
Monday 30 Nov	Linguistic Diversity as a Challenge for Legal Policy: Reflecting on a Pioneering Law and Language Thematic Issue of <i>Griffith Law Review</i>		
Tuesday 1 Dec		LSAANZ 2020 Publication Prizes & LSAANZ Annual General Meeting	
Wednesday 2 Dec	Covid19 and Sites of Confinement: Legal Accountability in Immigration Detention and Aged Care	Covid19, Immigration, and the Intensification of Borders	

**Friday
4 Dec**

Launch of ANROWS
Report on
selfrepresentation and
family violence in family
law proceedings

Launch of the new
sociolegal journal,
Legalities

OVERVIEWS

Linguistic Diversity as a Challenge for Legal Policy: Reflecting on a Pioneering Law and Language Thematic Issue of *Griffith Law Review*

Speakers: Laura Smith-Khan and Alexandra Grey

Monday 30 November 2020

10am-12pm (AEDT Vic/NSW)

9am-11am (AEST QLD)

9:30am-11:30am (ACDT SA)

12-2pm (NZDT)

Inter-lingual miscommunication and linguistically-encoded prejudices cause inequitable access to the justice system and to legal bureaucracy, and inequitable treatment within them. Moreover, legal rules and policies about multilingual communication can have diverse, serious real-world effects, e.g. regarding voter deception and missing out on public health and safety information in times of crisis. Interdisciplinary law and linguistics research has emerged in response, and speaks to concerns shared across many legal systems.

This session brings together contributors to a forthcoming special issue of *Griffith Law Review*, and advocates for legal policy to better respond to linguistic diversity. To our knowledge, this is the first issue in the journal's history to focus on law and language, and the session will provide the opportunity to celebrate this milestone, and to situate this interdisciplinary research area within the broader field of law and society.

With the special issue due for publication in 2021, the session will create a forum for the guest editors and authors to come together to critically reflect on their contributions, and consider, in conversation, how each piece of work contributes to the special issue's broader themes and issues. In this way it will provide an innovative opportunity for the guest editors to develop an editorial that reflects the perspectives of the contributors, and to showcase the forthcoming work with others who are interested in this research intersection. All of the contributors are early career researchers and represent a diverse range of disciplinary and practice backgrounds.

Session structure

In advance of the session, participants registered to attend will receive extended abstracts of each contribution to the special issue and will be able to read these before attending. The session will run for approximately 1.5 hours. It will involve a panel of speakers, made up of contributors to the special issue, facilitated by the guest editors, Dr Laura Smith-Khan (UTS Law) and Dr Alexandra Grey (Sydney Law School). The facilitators will identify a set of questions to guide the panel discussion, related to the overarching themes and concerns of the

special issue, and share these with panel members in advance. They will also facilitate questions and comments from the audience.

The session will be recorded to assist Dr Smith-Khan and Dr Grey to draw on the discussion when drafting their editorial, and in any other resulting outputs, for example, a session summary to be published on peer-reviewed research blog www.languageonthemove.com. Attendees will be informed in advance of the recording.

Covid-19 and Sites of Confinement: Legal Accountability in Immigration Detention and Aged Care

Speakers: Sanmati Verma (Clothier Anderson Immigration Lawyers), David Burke (Human Rights Law Centre), John Karantzis (Carbone Lawyers)

Discussants: Steven Caruana (Australia OPCAT Network), Claire Spivakovsky (University of Melbourne)

Panel facilitators: Claire Loughnan (University of Melbourne), Sara Dehm (University of Technology Sydney), Linda Steele (University of Technology Sydney)

Wednesday 2 December 2020

10am-12pm (AEDT Vic/NSW)

9am-11am (AEST QLD)

9:30am-11:30am (ACDT SA)

12-2pm (NZDT)

In this panel we explore the forms of litigation initiated in response to the harms posed to those in sites of confinement by government responses to the COVID-19 pandemic. Rather than allow the virus to ‘overshadow’ underlying factors which lead to greater risk, we argue that this risk is produced as an effect of the confinement undergone in two key sites: residential aged care facilities and immigration detention. While it might seem counterintuitive to bring together an analysis of IDCs with RACFs, both share particular conceptual, jurisdictional and regulatory similarities. Together with prisons, these sites are among the most risky places for people to be living during the pandemic. Yet the extent of planning to limit infection together with appropriate action to prevent exposure, have fallen far short of the standards enjoyed by the general public.

Nonetheless, legal responses are also gathering momentum to offer a limited form of legal accountability. Our analysis of these litigations points to broader challenges and opportunities facing lawyers and legal scholars emerging from COVID-19 in terms of how the harms of confinement are articulated and contested, and how law can be further engaged to shift from a focus on care (or even survival) towards a more systemic reforms, including deinstitutionalisation or abolition.

We plan for the panel to bring together lawyers who have initiated COVID-19 litigation in relation to either RACFs or IDCs, with scholars and advocates working across these fields.

Discussion Roundtable/Workshop: Covid-19, Immigration and the Intensification of Borders

Wednesday 2 December 2020

12 – 2pm (AEST)

11am-1pm (AEST QLD)

11:30am-1:30pm (ACDT SA)

2-4pm (NZDT)

Chair: Anthea Vogl (UTS)

Speakers: Charlotte Bedford (Development Policy Centre, ANU), George Robertson (United Workers Union), Laurie Berg (UTS), Sara Dehm (UTS), Arash Bordbar (Asia Pacific Refugee Rights Network), Tina Hosseini (Iranian Women's Association)

Sponsored by UTS Law Migration and Labour Law Research Cluster

This workshop brings together academics, union representatives and community organisations to discuss how government policies impacting migrants and refugees in Australia and New Zealand have been reconfigured during the pandemic. Six panellists will reflect on the effects of COVID-19 and whether greater territorial, social and legal exclusion have occurred in a number of immigration and social policy contexts, as well as community strategies of resistance to these policies.

In the first hour, each panellist will address three prompt-questions in the context of their work:

1. How have existing forms of exclusion of refugees or migrants intensified or manifested differently during COVID-19?
2. How has the government responded to and/or closed down alternative interventions which might have fostered greater inclusion?
3. What strategies for resistance have been deployed by migrant/refugee communities?
What has been the impact of this resistance? What has worked, what hasn't and why?

Panellists will address issues including the exclusion of refugees and other temporary visa holders from financial support during COVID-19, refugee-led initiatives responding to the pandemic, immigration detention during COVID-19 and the impact of COVID-related policies

on undocumented and seasonal workers in horticulture in Australia and New Zealand. A discussion will then follow with questions and contributions from all participants.

LSAANZ 2020 Publications Prizes and Author-Meets-Reader & LSAANZ 2020 Annual General Meeting

Tues 1 December 2020

12 – 2pm (AEST)

11am-1pm (AEST QLD)

11:30am-1:30pm (ACDT SA)

2-4pm (NZDT)

The Law and Society Association of Australia and New Zealand (LSAANZ) awards three publication prizes each year. The prizes are awarded for the most outstanding contribution to the field of law and society by an Australian or New Zealand scholar (whether by residence or birth) or whose work has a focus on these jurisdictions across three categories:

1. For a published scholarly book/monograph
2. For a published scholarly article or book chapter
3. To an early career researcher (ECR) for work nominated for consideration under (1) or (2) above.

The work must be in the broad field of socio-legal scholarship. As a guide, this does not include works that are purely doctrinal. In assessing this criterion, the following indicative points may be taken into account: Does it address the intersection of law and society? Does it engage with socio-legal literature? Does it focus upon both law *and* society?

Each award recipient will receive a certificate and amount of \$AUD200. The awards will be announced at the LSAANZ annual conference and publicised on the LSAANZ website.

This session will be devoted to the announcement of the prize winners and author meets reader conversations.

LSAANZ 2020 Annual General Meeting

The Annual General Meeting of the Law and Society Association of Australia and New Zealand will report on activities, financials and election of office bearers: President, Secretary, Treasurer and members of the Management Committee.

There are amendments to the LSAANZ Constitution to be discussed. It is important to obtain a quorum for this meeting. It will take no longer than 1 hour. Nominations for the committee can be made in advance.

All members welcome!

LAUNCHES

Join ANROWS and research partners for the launch of the research report: *“No straight lines”: Self-represented litigants in family law proceedings involving allegations about family violence*

Speakers:

Dr Jane Wangmann, Dr Tracey Booth and Miranda Kaye (report authors) Dr Heather Nancarrow (CEO ANROWS) Angela Lynch AM (CEO Women’s Legal Service Queensland)

Friday 4 December 2020

12 – 2pm (AEST)

11am-1pm (AEST QLD)

11:30am-1:30pm (ACDT SA)

2-4pm (NZDT)

Self-representation has been relatively common in family law proceedings for many years in Australia and other similar common law jurisdictions (for example, Canada and the UK). In the Family Court of Australia, the rate of self-representation at some stage during proceedings is around 30% overall, and is higher in those matters that proceed to hearing (Family Court of Australia, *Annual Report 2018–19*). At the same time, the extent of family violence in family law matters is also high (see Kaspiew et al, *Court Outcomes Project*. Australian Institute of Family Studies, 2015). The extent of self-representation and of family violence in family law matters suggests that both issues are likely to occur in the same proceedings, yet there has been little in-depth investigation to date into what happens when these issues intersect. This research report explores that exact issue: the challenges raised when family violence and selfrepresentation co-occur in Australian family law proceedings.

The research is founded on extensive field work. It included interviews with self-represented litigants as well as with professionals who engage with SRLs (judicial officers, legal professionals and other professionals). It also incorporated court observations in the Family Court of Australia and Federal Court of Australia and examination of court files.

A number of key issues emerged from this fieldwork, which will be discussed at the launch. These include:

- The challenges SRLs face in obtaining ongoing legal advice.
 - The ways in which an SRL's capacity to present their case in the courtroom is impacted by their expectations of the process, their ability to prepare, and trauma caused by experiences of family violence.
 - SRLs' lack of awareness of the centrality of paperwork and negotiations in family law processes, and the inadequate support available to assist SRLs in these areas.
 - The way in which the experience of violence was not only something SRL victims had to document in their paper work, but was also part of the ongoing context of their litigation.
 - The experiences and impact of ongoing violence in the courtroom and court precinct particularly where many SRLs did not know what safety measures were available. This event will launch the research report and also provide an overview of the key findings and themes of the research and the recommended ways forward.
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Join the Managing Editorial team and members of the Editorial Board for the launch of *Legalities: The Australian and New Zealand Journal of Law and Society*

Speakers: Carwyn Jones, Trish Luker, John Page (Managing Editors) and Professor Bill MacNeil (Senior Editorial Consultant)

Friday 4 December 2020

2-4pm (AEDT Vic/NSW)

1-3pm (AEST QLD)

1:30pm-3:30pm (ACDT SA)

4-6pm (NZDT)

Legalities is the new official journal of the Law and Society Association of Australia and New Zealand (LSAANZ), and the premier journal for socio-legal studies in the Antipodes. An international journal with a strong regional base, *Legalities* publishes contextually sensitive, theoretically informed, critically engaged and interdisciplinary socio-legal scholarship on topics such as law and society, legal geography, law and politics, criminology, law and economy, law and culture, legal history, feminist legal theory, critical race studies, critical legal theory, law and colonialism/imperialism, queer legal theory, environmental law, law and psychoanalysis, law and literature, law and social activism, animal law, law and education.

Co-sponsored by the Southern Cross University School of Law and Justice, *Legalities'* Managing Editors consist of Associate Professor Carwyn Jones (Victoria University of

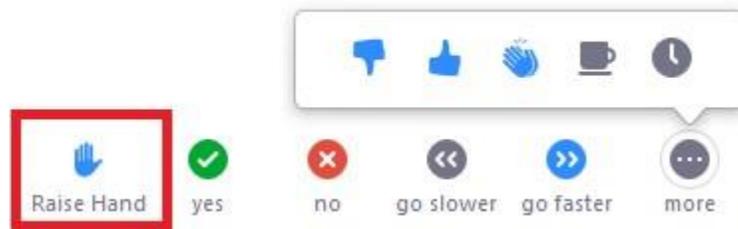
Wellington, New Zealand), Dr Trish Luker (University of Technology Sydney, Australia) Professor John Page (Southern Cross University, Australia), with Professor William MacNeil (Southern Cross University, Australia) as Senior Editorial Consultant.

This session will be devoted to the launch of the new journal, including speakers from the editorial team, the Editorial Advisory Board and International Advisory Board, as well as a sneak preview of the design.

ZOOM ETIQUETTE

Instructions for participants

- Please mute your microphone at the start of the session and only un-mute if you are speaking. This is to minimize background noise and interruptions.
- If you would like to speak, please use the 'blue-hand' function in Zoom.



- If your internet connection permits and you feel comfortable doing so, please also turn on your video. This is a great way to connect in a virtual space.
- However, note some of the sessions (such as Linguistic Diversity as a Challenge for Legal Policy) will be recorded. Attendees will be informed in advance of the recording and may turn off their cameras if they wish.

Instructions for Convenors

- Please remind participants to mute their microphones at the start of the session and throughout the session.
- While discussion and reflection are encouraged, please stick to the allocated times for each session and commence and end each session at the scheduled times. Feel comfortable interrupting speakers who are talking beyond their time.