TECHNOLOGY AND NEWCASTLE LAW SCHOOL

Foundational Courses

Legal System and Methods
How can apps support legal design and innovation? Predictive coding and research. How will trends in legal workplaces impact upon legal work into the future? What will the lawyer of the future look like? Basics of coding explained.

Torts – Liability for harm caused by AI
What happens when tech goes wrong? Who is liable when a driverless car crashes? If augmented reality (AR) users harm themselves while walking or driving because they are pre-occupied with an app (such as occurred with the use of Pokemon Go), can they successfully claim negligence by e.g. the maker of the game? Is there (or should there be) a civil wrong and attendant remedy associated with inaccuracy of data resulting in harm? How does liability for defective goods operate if the goods are manufactured at home on a 3D printer?

Constitutional Law
What is the scope of the defence and external affairs powers when it comes to cyberattacks or cyberterrorism involving connection technologies?

Criminal Law and Procedure
Inclusion of how technological changes are affecting clearing and settlement procedures in the ASX exchange (which is replacing its CHESS system with a new system based on blockchain). Are new laws needed to deal with new 'virtual' crimes? Where does the criminal liability reside in a tech-enhanced human whose bodily processes might be regulated externally or automatically? Is targeted surveillance, based on machine learning systems, in accordance with the police powers and responsibility?

Contract Law
How is legal capacity determined when the user is acting through an avatar? Do robots have contractual capacity? What limits might be placed on the permissions given to connection technologies to minimise the assent issues in contracting? Are 'smart contracts' legal contracts? What happens if a pre-existing condition is breached but the smart –contract is auto-executing?

Intermediate Courses

Civil Dispute Resolution
How do courts and lawyers deploy technology in litigation? Can machine learning replace judges? How will technology transform the development of civil procedure rules, dispute resolution process, and litigation strategies?

Company Law
Directors' liability for the ethics of technology. Are boards fullfilling their resposibilities if they fail to take account of big data advanaces in information technologies? As creative technologies become simultaneously more sophisticatedand and more complex, what is the extent of the understanding of these technologies required by the company directors and officers to comply with statutory and common law duties?

Evidence
Does information obtained through sensory technology such as VR and AR have to comply with all the standard rules of evidence or should new laws be created? If so, will this be uniform across Australian jurisdictions, including those that have not adopted the uniform evidence law?

As the capacity to create 3-dimensional objects improve, and it becomes harder and harder to distinguish a copy of an object from the original, what are the implications for the rules as to the admissibility of documentary evidence, meaning of 'document', and ultimately the reliability of such evidence?

What are the impacts of technologies on the admissibility of forensic and expert evidence? Can technological advances in voice comparison software be used as evidence of voice identification? If so, are there issues about the reliability to be considered in relation to standard warnings about this type of identification evidence?

Public International Law
How are international treaties accommodating rapidly changing data flows, privacy, and digital products and services? How will the development of warfare through drones and the difficulty of identifying state action in the online realm impact on international law? Advances in nanotechnology, deep seabed mining, space technologies, and even geo-engineering highlight areas where there is a 'law lag'.

Property Law
Is 'property' created in virtual worlds capable of being owned and should we have special laws recognising transfer of ownership of such property? Who owns data?

Capstone Courses

Administrative Law
How can justice systems address algorithmic bias? Is a decision made by an algorithm an exercise of executive power? How can privacy work in the context of big data? Should the state assume responsibility for making some forms of AI publicly available? What are the potential liability issues for the state in doing so? Can Parliament authorise administrative decision making by a non-human agent? What is the Law as Code movement – how well does this apply to administrative law settings?

Equity
What are the implications for fiduciary duties in the deployment of AI decision-making? What type of unconscionable conduct can arise in relation to AI and other technologies?

Professional Conduct
How can social media use by a lawyer result in a breach of their professional obligations? What responsibilities must lawyers take in use of technologies supplied by others? Are there special obligations where there is use of cloud services? What special ethical concerns arise for lawyers from the use of artificial intelligence services? To what extent might the use of creative technologies blur the line between legal information and legal advice, and how might this impact on lawyers?