



NINIAN STEPHEN
LAW PROGRAM

New Legal Thinking for Emerging Technologies

2022 REPORT

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Introduction

Summarising a successful year for the Ninian Stephen Law Program: New Legal Thinking for Emerging Technologies

In 2021, the project focused on community building – bringing international experts and hosting emerging tech and law leaders forums for emerging professionals in this area.

Year two of this program saw the research component of this project begin in earnest. Ninian Stephen Law Program Research Fellow Dr Fahimeh Abedi spent time building connections with industry professionals, as well as interviewing in-house council from organisations across Australia.

The highlight of the year, both for the project and for the Centre for AI and Digital Ethics was the Ninian Stephen Law Program Oration with Dr Ramona Vijeyarasa. Ramona gave an incredible talk about her work on the gender legislative index to an enraptured audience. We then welcomed some of our friends and collaborators for dinner where we were able to speak further about the intersection between law and new technology. We have made many plans for 2023 with these enthusiastic industry professionals!



Future Lawyers and Members of CAIDE at the Oration, Nov 2022

26
Lawyers from

16
Organisations

Activities to Date

1

Interviewing In-House Lawyers

To better understand and gather rich information about research questions, we conducted semi-structured interviews and to better comprehend and gather rich information regarding the study questions. The interviews lasted around an hour and were conducted online. Finding the ideal interviewee and engaging them in the project owing to their senior level were two of the many challenges encountered throughout the recruitment process.

3

Seminars

To improve understanding of AI Ethics and Law, CAIDE also held and established two seminars:

- On July 6th, **Professor John Zeleznikow** presented about Access to Justice through Online Dispute Resolution. He highlighted a six-module framework for ODR projects that identifies development gaps and the need for new technologies to increase access to justice (A2J). This event drew 32 participants (both in person and online).

2

Ninian Stephen Law Program Research in Media

To raise awareness and evaluate the NSLP effectiveness, Dr. Fahimeh Abedi and Prof. Tim Miller published an article in Pursuit Journal-Animelb on 4 July 2022 and titled "**Lawyers Must Adapt to the Era of Digitisation.**" The article was extensively distributed and ranked as one of Melbourne Law School's top posts on Twitter, Facebook, and LinkedIn from July 1–8, 2022. Several emails were also received from lawyers from both within and outside of Australia who were interested in knowing more about the project and willing to participate in interviews.

- On October 26th, **Graham Jefferson**, Head of Legal Technology at Commonwealth Bank with over 25 years' experience working at the intersections of technology and law and argued that lawyers and engineers can and must collaborate more closely and draw inspiration from each other's fields. In total, 27 people attended (both in person and online).



Ninian Stephen Law Program Oration 2022

On November 15, CAIDE hosted the second Oration of the NSLP: New Legal Thinking for Emerging Technologies. The Oration was delivered by the phenomenal Dr Ramona Vijeyarasa, Senior Lecturer in the Faculty of Law at the University of Technology Sydney and winner of the Women in Artificial Intelligence in Law Award 2022. Dr Vijeyarasa showed us how technology has the power to advance gender equality.

Following the Oration, CAIDE was delighted to host members of our advisory board, lawyers and stakeholders from Industry as well as experts and academics from the University of Melbourne for Dinner. This gave us an opportunity to connect with those invested in this work and discuss the year to come.

105
attendees
76 in person
29 online



Dr Ramona Vijeyarasa



Ninian Stephen Law Program: Building Resilient Legal Advice for Cyber and Critical Technologies in Viet Nam

New Grant

At CAIDE we submitted a research grant application based on based on the NSLP project's research and understanding of emerging technology challenges for lawyers. This grant application is explained below:

Awarded: Building Resilient Legal Advice for Cyber and Critical Technologies in Vietnam (\$500k) [2023-2024]. Leveraging directly from the NSLP Project, we applied for a grant with The Department of Foreign Affairs and Trade (DFAT) for \$500k for a project, Building Resilient Legal Advice for Cyber and Critical Technologies in Viet Nam and it was successful. The project is a part of the NSLP's expansion and broader body of work, which will conduct research and deliver a program of leadership- and capacity-building activities to better understand and strengthen legal advice provided by lawyers in Viet Nam in the emerging field of cyber and critical technologies.

Aside from demonstrating the significance of the work we are doing with the NSLP project, receiving this award will provide a unique opportunity for the two projects to work together, with research, capacity analysis, and building activities happening in Australia and Viet Nam.

In light of the findings from the NSLP project and the DFAT program, we are planning to hold Emerging Tech and Law Leaders Forums, as well as master workshops in Viet Nam for lawyers practicing in Viet Nam.



Report Matrix

6 Month Report

July 2022- Dec 2022

Outcome 1

Transformative understanding of skills gaps in lawyers in Australia providing legal advice on emerging technologies and understanding of organization governance in adapting to changes in emerging technologies.

Activities	Output	Impact	Measure of Success
<ul style="list-style-type: none"> - Interviews - Conduct interviews with at least 26 in-house lawyers to learn about their individual and organisational approaches with providing legal advice on emerging technologies - Analysis - Rigorous analysis of interview transcripts to find common themes 	<ul style="list-style-type: none"> ▪ Peer-reviewed article: One academic journal article disseminating findings: ▪ <i>Lawyers are generally involved in the late stages (contract stage) of adopting/developing emerging technologies, rather than in the procurement or ideation of emerging digital technologies</i> ▪ <i>There is lack of effective communication between lawyers and IT experts due to lack of defined processes/language differences</i> ▪ <i>The vast majority of lawyers gained knowledge of AI and law from their experiences.</i> ▪ <i>Lawyers believe that educational programs are necessary to increase their knowledge on how to handle the ethical and legal challenges posed by emerging technology.</i> 	<p>Understanding: Foundational understanding of issues facing the legal profession in Australia</p>	<ul style="list-style-type: none"> ▪ Academic article: (transactional) Published a paper titled 'Lawyers must adapt to the age of digitalization' in Pursuit-UOM: <ul style="list-style-type: none"> - Top social media posts from July 1-8, including Twitter with 12 shares/ 20 likes, Facebook with 464 likes/16 shares, and LinkedIn 23 likes/2 shares (MelbLawSchool) - LinkedIn Melbourne University with 37 likes and 4 shares - Received emails from lawyers both within and outside of Australia who were interested in the project and willing to be interviewed. ▪ Transactional interviews: 26 in-house legal counsel were interviewed, interviews transcribed.

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| | <ul style="list-style-type: none"> ▪ Menzies Oration.
 ▪ Funding opportunities: <ul style="list-style-type: none"> ○ DFAT | | <ul style="list-style-type: none"> ▪ Understanding (transformative): Hypotheses from business model canvas proposed and refined.
 ▪ Emerging Tech and Law seminars (transactional): <ul style="list-style-type: none"> - On 6 Jul -
Speaker: Prof. John Zeleznikow , expert on AI and ODR – 32 participants
 - On 26 Oct –
Speaker: Graham Jefferson, Head of Legal Technology at Commonwealth Bank – 27 participants
 ▪ Menzies Oration (transactional): invited about 197 persons, including business, industry, and legal leaders <ul style="list-style-type: none"> - 105 people attended the event.
 - Winning grant submission with DFAT – total funding amount is \$493,533.70 (AUD) |
|--|--|--|--|

- Highlights from the Oration:
<https://www.youtube.com/watch?v=4zSP6-bFtHg>
- Oration Event – Full Video:
<https://www.youtube.com/watch?v=sSq8ydZyN-Q&t=905s>



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support of our
programme

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