Professor Bryan Horrigan
New Dean of Monash Law

Inside this issue:

Feature:
A new kid on the block:
The Australian Centre for Justice Innovation
Dean’s message

This is my twentieth, and last, Dean’s Report, for Law Matters and it is my pleasure to welcome Professor Bryan Horrigan as the new dean of the Law School. Bryan came to Monash in 2009 to the position of the Louis Waller Chair in Law and has held the position of Associate Dean (Research) during which he has been a valuable and active member of the Faculty’s Executive Committee, among other Faculty governing bodies and a leader of our research program.

When I assumed the position of Dean in 2004 we were preparing for the Faculty’s 40th anniversary celebration and as I leave we are preparing for the golden anniversary in 2014. The celebrations should be memorable and I look forward to participating in them as an alumnus of the Faculty. A history of the Faculty is in preparation for publication in that year.

Over my relatively short period in the history of the Faculty much has happened, a deal of which has been chronicled in the pages of this publication. Our new premises at 555 Lonsdale Street have set the standard for the Faculty and is now home to over 600 students studying the JD and students in the graduate program as well as hosting numerous seminars, conferences, book launches, meetings and presentations. The Clayton building is being modestly renovated pending a new home some time in the future.

A range of new programs for students has been introduced including a High Achievers Program, an Ambassador Program, a Peer Mentor Program and our Prato and Malaysia programs provide students with a stimulating and challenging international educational experience shared with students and staff from Canada, Israel, the United States, France, Malaysia and Hong Kong.

Our research and teaching centres in human rights law, mental health law, regulation and court innovation and our research performance in areas of public law, legal philosophy, legal ethics, commercial law, intellectual property, taxation, industrial law, international law and others have propelled us to the top ranks of law schools in the world. These rankings are based not only on our research but our reputation around the world.

After nearly 50 years Monash is well-known nationally and internationally and with over 14,000 alumni flourishing and succeeding in the law, business, the public service, the arts and in the non-government sector the Faculty continues to gain in esteem.

Our undergraduate courses, now primarily combined degrees, are the legal destination of first choice for school leavers. We are now seeing an increasing number of second generation students, many of whose parents I had the pleasure of teaching, and meeting at our Open Days. With a range of scholarships and other student support program together with our clinical programs at Clayton and Springvale, Monash Law School, both in philosophy and practice, remains committed to the concept of social justice.

A Dean without the support of his or her academic and professional staff is like a conductor without an orchestra – a lot of arm waving but without any effect. The real work of the Faculty is done by my colleagues and I thank them for their support and commitment over the past 9 years to the task of building a great law school. I also thank the alumni for their support in kind, financially and in the many activities of the law school which has seen them judge moots, give classes, run courses, provide occasional addresses, mentor students, sit on boards, committees and reviews and provide me with advice and encouragement. I look forward to continuing my association with the Faculty as an Emeritus Professor, joining my colleagues Professors Richard Fox, Louis Waller, Bob Williams and Christie Weeramantry.

Professor Arie Freiberg, AM
Dean, Monash Law School
Queen’s Birthday Honours 2012

Officer of the Order of Australia (AO)
Professor Simon Molesworth AO QC (BA 1975, LLB 1977)
For service to conservation and the environment.

Member of the Order of Australia (AM)
Mr Tony D’Aloisio AM
(BA 1971, LLB (Hons) 1973)
For service to business and commerce.

Ms Sandra Sdraulig AM
(BA 1987, LLB 1987)
For service to the arts.

Medal of the Order of Australia (OAM)
Mr Henry Jolson OAM QC (BEc 1972, LLB 1972)
For service to the law.

Alumna named president of Australian Women Lawyers

Monash alumna Kate Ashmor (BA 2005, LLB 2005) has been named the new president of Australian Women Lawyers (AWL), an organisation concerned with issues relating to practice and advancement of women in the legal profession.

Ms Ashmor is the immediate past convenor of Victorian Women Lawyers (VWL), the peak organisation for female lawyers in Victoria. She has also been a VWL board member for five years.

She has previously practised as an in-house corporate lawyer, in private practice and as a volunteer lawyer. She also served as an elected Councillor for the City of Glen Eira from 2005–2008.

“It is a tremendous honour and privilege to serve as President of Australian Women Lawyers,” Ms Ashmor said. “I look forward to working hard to ensure that issues of importance to Australian women lawyers, such as high attrition rates, are effectively addressed.”

Monash ranked in the world’s Top 15 Law Schools

Monash Law School was recently ranked 15th in the QS World University Rankings for 2012, up from 20th position in 2011.

This is the second year in which QS Top Universities has ranked universities by discipline. Determined by a combination of academic peer-review, employer attitudes and research output, the rankings are intended to help students determine the best university at which to study.

QS Top Universities has ranked international tertiary educators since 2004. Monash is currently ranked 60th in the QS World University Rankings, released in September last year.

New Appointments

Chief Magistrate Ian Gray
(BA 1972, LLB 1973)
– appointed to State Coroner of Victoria

New Dean appointed

Professor Bryan Horrigan

Following an extensive national and international search Professor Ed Byrne AO announced that Professor Bryan Horrigan has been appointed as the new Dean, Faculty of Law and will commence his role in January 2013.

Professor Horrigan currently holds the Louis Waller Chair of Law within the Faculty and is also the Associate Dean (Research). He is a distinguished scholar with an outstanding record of leadership and management at the faculty level and is recognised nationally, internationally, and professionally for his expertise in the areas of public and corporate law and governance.

We would like to thank Professor Arie Freiberg AM for his wonderful leadership over the past nine years. During his term as Dean, the Faculty of Law has developed into one of the largest and most prestigious law schools in Australia, complemented by a broad teaching base, strong international links and an outstanding reputation.

Professor Freiberg AM has been appointed an Emeritus Professor of Monash University, and in this capacity will continue to contribute to the academic life of the Faculty and University.
A new kid on the block: The Australian Centre for Justice Innovation
Supporting evidence based justice system reform

By Professor Tania Sourdin and Dr Sandy Caspi Sable

They say the only certainties in life are death and taxes – but a glance at the dockets of our courts and tribunals might permit us equal confidence in the inevitability of disputes.

And while (somewhat paradoxically) there is strong agreement amongst the diverse stakeholders in our civil justice system that reforms are required, the character of those reforms is a source of ongoing debate. Options range from the simple – such as improved funding for courts and/or legal aid schemes – through to the more complex, where the source of complexity might lie in the implementation (e.g., better deployment of technology) or the ideology (e.g., increased/mandated use of alternative dispute resolution processes at an earlier time).

As you would expect from such an inherently analytical discipline as law, all sides of the debate are eloquently expressed and intellectually sound. So how can policy makers decide the most effective application of limited resources?

In our view, the answer is plain: data – relevant, reliable and robust data. It is this belief in evidence based reform that underpins the creation of the Australian Centre for Justice Innovation (ACJI).

ACJI is Monash Law Faculty’s most recently established dedicated centre, created with the assistance of the Australasian Institute of Judicial Administration and located in the Faculty’s city chambers.

One of the Centre’s core activities is the conduct of research designed to inform the development and implementation of court and justice innovation and the adoption of non-adversarial justice and ADR approaches to support improvements in court efficiency, effectiveness and governance.!

In the course of its relatively short existence, ACJI has already undertaken three significant research projects intended to provide meaningful data to decision makers in relation to our justice system.

The first relates to the application and effectiveness of civil pre-action protocols and obligations that encourage disputants to resolve their disputes before commencing court proceedings. Given the significance of this study to the debate surrounding the use of ADR and access to justice, further comment on the research is offered below.!

ACJI’s second major research endeavour is similarly designed to assist in building an evidence base to analyse, explore and support the justice system. Titled the Self-Represented Litigants (SRL) Project, this study forms part of a longer-term initiative to determine the prevalence of SRLs (and ‘unrepresented’ litigant) cases in federal courts and tribunals across Australia. This will enable the Commonwealth Attorney-General’s Department to “identify the unmet legal needs for SRLs, in order to more effectively administer its financial assistance scheme”.!

The third project focuses on timely dispute management and resolution in Victorian civil and criminal courts – an issue of considerable relevance to both users and administrators of our court systems. The research will develop a literature review of timeliness in court proceedings, followed by the production of an issues paper and ultimately a conference, to address the question of how the timeliness of those proceedings might be improved.

As mentioned above, the civil pre-action protocols and obligations project is likely to be of interest to a broad range of stakeholders given the intensity and polemical nature of the debate regarding the use of ADR and other, non-court related processes to resolve disputes. As such, it’s worth making some, albeit brief, reference to the research findings here. However, first let us provide some context.

Pre-action requirements have been introduced in a variety of jurisdictions both locally and internationally in recent years. They arise outside of court and tribunal settings and vary in their content. Some pre-action requirements oblige disputants to engage (or consider engaging) in ADR as a pre-condition to commencing legal proceedings. Others require disputants to take steps or file a statement about what they have done to resolve their dispute if they are unable to reach a resolution and then commence court or tribunal proceedings. In most cases, there are ‘opt-out’ provisions for certain categories of litigants (e.g., if there is urgency or violence).

The rationale behind pre-action requirements is the savings in terms of both time and cost through earlier dispute resolution, as well as superior outcomes, particularly in cases where an ongoing relationship between the parties is preferable (e.g., in small business or tenancies). In essence, these are the arguments typically proffered in support of ADR more generally.

Concerns with pre-action protocols – as with ADR – usually focus on their potential to limit access to justice and produce outcomes that are not adequately referenced to legal rights/obligations.
To examine the use and effectiveness of pre-action requirements, the ACJI research incorporated a literature review, examination of available statistics and stakeholder input, as well as qualitative and quantitative data in two selected schemes where ADR processes are used to support pre-action processes. 4

Notwithstanding the challenges of evaluating ADR processes, the research yielded some interesting findings. While it is not possible to reproduce these here (indeed the research report exceeds 200 pages), a few illustrative insights are offered.

For one, the data suggests that pre-action requirements can be effective in terms of finalising disputes or narrowing issues, and can offer cost savings to disputants.

Moreover, the study found a high level of overall satisfaction with the outcomes of the schemes, with data supporting the notion that just outcomes can be achieved without legal representation in many categories of dispute.

However, where effectiveness is assessed by reference to procedural fairness, the findings were mixed. It appears that demographics, disputant characteristics and other dispute attributes can play a major role in determining whether pre-action requirements are procedurally fair. As one mediator commented:

“[P]rovided parties come from similar backgrounds, educational levels and have some equality of negotiation then the process and outcome can be fair…”

The research also found that for pre-action requirements to work effectively, there needs to be a relationship between pre-action and post-filing processes. Further, the data suggests that pre-action requirements are not likely to be effective unless there are compliance processes in place and there is reporting on compliance steps.

A final insight emerging from the research that demonstrates the value (if not necessity of) relevant data to inform civil justice reform policy is the fact that even a minimalist pre-action model like that introduced by the Civil Dispute Resolution Act 2011 (Cth) 5 can result in time and cost savings, particularly when a supportive culture is in place.

Data driven decision making (DDDM) is a well recognised discipline in the corporate world 6 – indeed, all self respecting consultancy firms now have data analytics divisions to service players across a range of industries (most notably, the banking, pharmaceutical and mining sectors). Educators are also embracing DDDM in their pursuit of increased student achievement, both internationally and within Australia. 7

So it stands to reason that decisions of significant import, like those affecting our justice system, should be predicated on data. And herein lies a critical role for the ACJI. To source, create and interpret relevant data to equip policy makers with evidence of what works, what doesn’t and what might under the right conditions.

1 ACJI has two other primary streams of activity: it is engaged in the areas of program design, piloting, monitoring and evaluation of court innovation and justice approaches; as well as education and training to law students, legal practitioners, court and justice system administrators, judicial staff and allied professionals to achieve effective innovation and outcomes in the justice system.

2 ACJI also has a major research project evaluating the effectiveness of the Family Support Program – where families are supported in their agreement making before commencing proceedings.

3 As quoted in the AGD – Analysis of Evaluation data on self represented litigants in the civil justice system on 19 April 2012.

4 Namely: the retail lease scheme operating in Victoria administered by the Victorian Small Business Commission; and a court-managed pre-action protocol operating in the Northern Territory.

5 This Act essentially requires disputants to file a ‘genuine steps’ statement setting out what attempts have been made to resolve their differences before commencing litigation in respect of a range of civil disputes.

6 Corporations began collecting, combining, and analysing data from sources throughout the enterprise over twenty years ago, with a view to improving the bottom line by discerning hidden patterns and thereby improving the decision making process. Both the data inputs and outputs have become increasingly sophisticated since that initial quest for more relevant information to support organisational decisions.

7 See, for example, ACT Department of Education and Training, “Teachers and School Leaders: Making a Difference through Evidence Based Practice”, Canberra, 2007.
A launch was held for the 50 year history book of Monash University titled ‘University Unlimited – The Monash Story’.

From student radicalism to global expansion, Monash has been a university that has reached outwards rather than gazed inwards. And throughout its 50-year history, the Monash story has been shaped by its people: the students, teachers, researchers and of course its alumni.

The book was written by Monash historians, Graeme Davison, Emeritus Professor of History, and Dr Kate Murphy, a lecturer in contemporary history. Based on extensive interviews with staff, students and alumni, it covers the movers and shakers who have made Monash what it is today.

Representatives from the faculty who attended the launch included Professor Hoong Phun (‘HP’) Lee, Professor Marilyn Pittard and Professor Jeffrey Goldsworthy.

Artworks for prime exposure

The Monash University Law Chambers have been located at the new premises at 555 Lonsdale Street for over one year. The facility is proving to be extremely popular for both students and external businesses with over 7,900 people passing through the doors per month.

The Chambers currently has several blank walls where we would like to hang artwork. If you are interested in lending the Faculty a piece of artwork please contact Faculty Manager, Janet White – janet.white@monash.edu

Annual Costello Lecture

Monash alumnus, The Honourable Justice Kevin Bell presented the 2012 Costello Lecture titled ‘Protecting public housing tenants in Australia from forced eviction: the fundamental importance of the human right to adequate housing and home’.

Justice Bell discussed the current state and territory laws and the fact they do not adequately protect the security of tenure for public housing tenants, who can be evicted without reason or cause.

Justice Bell said for many years public housing in Australia had been targeted at the disadvantaged community including people with disabilities, single parents, the elderly and welfare dependant people.

“The concept of ‘home’ is of growing importance in the law. Home is a lot more than shelter. Home is a place of security, belonging and comfort,” Justice Bell said.

The lecture covered the demographics, the social and cultural role of the home in promoting the individual, family and community wellbeing, the human, civil and political rights of public housing tenants in both a domestic and international context.

The Honourable Justice Kevin Bell was appointed to the Supreme Court of Victoria in February 2005. He sits in all divisions of the court, including the Court of Appeal, and has conducted major civil and criminal jury trials. He is a former president of the Victorian Civil and Administrative Tribunal.

A copy of the speech can be found at www.law.monash.edu.au/about-us/events/index.html

L to R: Prof Arie Freiberg AM, The Honourable Justice Kevin Bell, Rev Tim Costello AO.
New patron of the Lucinda Lecture Series


Professor Hoong Phun (‘HP’) Lee, the Sir John Latham Professor of Law, who conceived the lecture series, described Sir Zelman as an outstanding and generous Patron. “Sir Zelman” Professor Lee said, “was very passionate about the series and he made it a point of attending virtually every lecture. His presence added a sense of occasion and prestige to the event.” In 2002, Sir Zelman delivered the Tenth Lucinda Lecture. His lecture was entitled ‘Sir Isaac Isaacs and the Workings of the Australian Constitution’.

The Lucinda Lecture Series has become recognised as the leading constitutional law lecture series in Australia. The 2011 lecture was delivered by the Honourable Robert French, AC, Chief Justice of the High Court of Australia but unfortunately, Sir Zelman was unable to attend because of ill health.

The Faculty places on record its deep appreciation of the generous service rendered by Sir Zelman as the inaugural Patron of the Lucinda Lectures.

Professor Lee said that he and the co-convenor of the Series, Professor Marilyn Pittard, are extremely delighted that the Honourable Marilyn Warren AC QC, the Chief Justice of the Supreme Court of Victoria, has kindly accepted the invitation to be the new Patron of the Lucinda Lectures. Her Honour was appointed to head the Supreme Court of Victoria in November 2003. Her Honour graduated from Monash University with BJuris (1973), LLB (1974), LLM (1983) and was conferred an LLD by the University in 2004.

Her Honour delivered the Twelfth Lucinda Lecture in 2004 on the topic “What Separation of Powers?” Planning is underway for the next Lucinda Lecture to be delivered in 2013 by the Honourable Justice Virginia Bell of the High Court of Australia.

Susan Campbell AM passed away in March 2011 aged 67. Fifteen months later, on a winters evening in June 2012, over 300 friends and colleagues filled the St Kilda Town Hall to remember Sue’s pioneering contribution to legal education and Community Legal Centres in Australia. Tributes were made by the Monash Chancellor Dr Alan Finkel AM, The Chief Justice Marilyn Warren AC QC and Sue’s close friend from childhood Justice Marcia Neave AO.

Sue was a driving force behind the creation and development of the Monash Law School Clinical Legal Education Programme (aka Professional Practice). Australia’s first such program (established 1975), which enables law students to gain course credit whilst working under professional supervision in Community Legal Centres. The Springvale and Monash-Oakleigh Legal Centres are key placements and Sue was a pioneer in their development.

Along the way she inspired thousands of first year law students to make a contribution to the community and was a founding Editor of the Lawyers Practice Manual and a founding Trustee of the Tim McCoy Trust.

In Sue’s memory, the Monash Law School has established the ‘Susan Campbell AM Clinical Legal Education Visiting Fellowship and Future Fund’. The initiative is designed to further enhance, and provide sustainability to, the clinical program. The first ‘Sue Fellow’ is expected in 2013 and will be an international clinical scholar of renown. The fund was formally launched by Chief Justice Warren at the Memorial Dinner. A fund raising auction of iconic legal items followed. The centre piece was the ‘purchase’ for lodgement to the Monash Indigenous Centre, of the ‘Mabo Sardine Catcher’ made available by Mabo counsel Dr Bryan Keon-Cohen AM QC. Bendigo solicitors Arnold Dallas McPherson were the winning bidders. Partner Ian Dallas was a student at Springvale 25 years ago and his partner John McPherson began his career at the Mental Health Legal Service, and is currently chair of the Loddon Campaspe Community Legal Centre.

From the 14,000 Monash Law graduates since 1964 and 4,000 Clinical alumni, it is hoped to encourage 500 alumni to pledge $1000 over two years to seed the fund. Already over $100,000 has been pledged. Why not take the pledge yourself and ensure that the clinical program can continue to evolve?

Enquiries and Donations to the Susan Campbell Fund can be made through http://www.law.monash.edu.au/about-us/events/sue-campbell-flyer.pdf


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Towards one world: The memoirs of Judge C. G. Weeramantry

Volume II: The Australian years

C. G. Weeramantry


This volume is a gripping story of dangers confronting civilisation, which law and lawyers, both nationally and internationally, have failed to address. It is the second volume of the Memoirs of Judge Weeramantry, dealing with his years as a Professor of Law at Monash University, Australia. Judge Weeramantry has devoted much effort towards extending the reach of the law, to enable it to address some of the major problems of our time, which the law, as a discipline, has tended to neglect. He has worked towards a declaration of the total illegality of nuclear weapons, avoiding a “clash of civilizations”, conserving the rights of future generations, avoiding denigration of basic human rights through the power of modern technology, averting rich world/poor world confrontations, reducing the formalism and aloofness of the law, countering apartheid and developing codes of scientific ethics, among others.

All these problems were addressed during the author’s years as a Professor of Law at Monash University, Australia, prior to his election as a Judge and later Vice President of the International Court of Justice at The Hague. This is a wide-ranging book, exploring ways in which legal systems throughout the world, have failed to rise to their obligations in addressing the major problems of our time. It is essential reading for all who are concerned with averting the dangers which threaten to destroy the rule of law and imperil the human future.

Transnational Crime and Human Rights

Susan Kneebone, Julie Debeljak

Routledge, 2012

This book is an evaluation of the responses to the transnational crime of human trafficking and governance of the issue through a case study of the Greater Mekong Subregion (GMS), which comprises Cambodia, the People’s Republic of China, Lao People’s Democratic Republic, Myanmar, Thailand, and Vietnam. The book analyses the international and national legal policy frameworks and the role of governments, international and national non-governmental institutions, and regional processes in responding to trafficking issues in the GMS. The book is based on the findings of a three year study conducted in the region, involving interviews with more than 80 individuals from relevant organisations and agencies, and examines the social, political and historical factors, including gender and age, labour exploitation and migration which form the background to human trafficking in the GMS. The authors consider issues of competing mandates, and gaps in strategies for protection and conclude with a discussion of broader lessons to be learned from the GMS situation and suggestions for future governance strategies in the fight against trafficking.

Political Reform Opens the Door: The Kingdom of Tonga’s Path to Democracy

Guy Powles

Comparative Law Journal of the Pacific, 2012

As a functioning monarchy in which the king continues to exercise executive powers under a vintage nineteenth century constitution, the small Pacific Island state of Tonga is governed under a unique blend of tradition, culture and conventional laws. Pressure for reform has come from below and also from the late King Tupou V, culminating in the work of a constitutional commission and the adoption of dramatic reforms. In November 2010, for the first time in their history, the people elected a parliament which chose its leader, who in turn selected the governing ministry.

This Monograph gives an overview of the new regime while offering insights into the thinking and decision-making that went into its development. Serious questions remain unresolved. The monarch retains significant powers in relation to the judiciary and other key appointments, power to withhold consent to legislation, and the capacity to surround the throne with influential ‘advisers’. Included in the Monograph is a consolidation of the constitution, for ease of referencing. The publication is accessible online at: http://www.upf.pf/IMG/pdf/Tonga_Democracy_176x240mm_LRes_.pdf

Competing Sovereignties

Richard Joyce

Routledge, 2012

Competing Sovereignties provides a critique of the concept of sovereignty in modernity in light of claims to determine the content of law at the international, national and local levels. In an argument that is illustrated through an analysis of debates over the control of intellectual property law in India, Richard Joyce considers how economic globalisation and the claims of indigenous communities do not just challenge national sovereignty – as if national sovereignty is the only kind of sovereignty – but in fact invite us to challenge our conception of what sovereignty ‘is’. Combining theoretical research and reflection with an analysis of the legal, institutional and political context in which sovereignties ‘compete’, the book offers a reconception of modern sovereignty – and, with it, a new appreciation of the complex issues surrounding the relationship between international organisations, nation states and local and indigenous communities.
In the News

Which path to take?

I never had any doubt that I wanted to become a lawyer. Raised on a diet of LA Law and Law & Order, I thought the life of a practising lawyer looked glamorous and exciting. I knew that I loved a good argument (just ask my parents) and as a high achiever at school, who didn’t want to be a doctor, what else was I going to do?

It was not until my second year of studying law that doubts began to creep in. Could I really imagine myself working at one of those big firms that everyone else seemed to want to work in? While the money was certainly appealing (who doesn’t want to be rich?) was it worth the trade-offs? The long hours spent in the office, doing work that seemed incredibly dull; the highly competitive working environment, with its constant drive to earn more and more money for the partnership; and perhaps most importantly, the apparent lack of focus on social justice issues. Was this what I wanted to dedicate my life to doing?

But what were the alternatives? The best option seemed to be working for one of the labour law firms who at least claimed to be seeking social justice.

So I completed my articles at Holding Redlich where I had a great experience working in the industrial department. However, I still wasn’t sure that the life of a practising lawyer was for me – and so when the Victorian Law Reform Commission was reconstituted in 2001, I applied for a position as a Research and Policy Officer.

My time there was fantastic – I felt like I had finally found my place. I got to spend my days thinking about how the law should operate rather than simply applying it. I met a wide range of people working in various fields, and learnt an enormous amount about the practical operation of the law. And I felt like I was making a difference. For example, the recommendations we made in our project on Defences to Homicide led to the defence of provocation being abolished.

After a couple of years, I moved to the Australian Institute of Criminology where I continued to do research and policy work, looking at issues such as road rage, biometrics, fraud and electronic commerce-related crime. In this role I worked closely with the Joint Parliamentary Committee on Drugs and Crime Prevention in Victoria, gaining valuable insight into the workings of the political system. I was again involved in making recommendations that led to the law being reformed.

From there I moved to the Judicial College of Victoria, where I was responsible for setting up the Victorian Criminal Charge Book. This is a freely accessible online publication which provides assistance to judges when directing juries in criminal trials. The book aims to break down complicated legal concepts into language that jurors can understand, thereby ensuring that people receive fair trials. It is now a widely used resource by practitioners and students, as well as judges.

This year I have also been involved in the Jury Directions Simplification Project headed by Justice Mark Weinberg. This project has used research about effective jury communication in an attempt to reform jury directions in four particularly complex areas of law. I am also completing a PhD in Law, looking at the ways in which mental illnesses should be taken into account when sentencing offenders as well as working part-time as a lecturer at Monash.

While this has not been a traditional career path, it is one that I can recommend to those who have an interest in law and a passion for justice but who do not feel that they fit into the typical ‘lawyer’ mould. While it has been challenging at times (as I’m sure all jobs are) it has certainly been interesting, as well as rewarding.

A changing media landscape

The role of free-to-air television (TV) in the evolving world of media was addressed at a recent lecture delivered by Mr Jeffrey Browne (LLB, 1979), Monash alumnus and Managing Director of Nine Network Australia.

Mr Browne addressed the crowd in the Monash University Law Chambers with his speech ‘Free to air television in a changing media landscape’.

Mr Browne joined Nine at a time, unbeknownst to him, when the free-to-air TV industry was about to undergo period of change greater than any other time in its previous 50 year history.

“Prior to my joining the network, Nine had been run under the proprietorship of the late Kerry Packer and its strategy was to produce TV programs with mass appeal across a broad Australian TV audience,” Mr Browne said.

“Things had already begun to change in the industry, such as advertisers demanding more information from broadcasters as to the composition and habits of audiences.”

After the death of Kerry Packer, James Packer sold the majority of his interest in the Nine Network to private equity firm CVC Asia Pacific, the changes flowed on from this point.

“The television industry is wonderfully challenging and it is a great responsibility to deliver continuous, culturally relevant entertainment, news and sports coverage to the 97 per cent of all Australians who have access to free to air television,” Mr Browne said.

“Television has the capacity to create community debate, to shape public opinion like no other medium and to create and dispel perceptions. It is an extremely powerful tool.”

Mr Browne ended his presentation thanking the audience for attending and allowing him the opportunity to discuss the industry that he feels so fortunate to be a part of.
Q. When did you study at Monash Law School?  
A. 1999–2005

Q. What course where you enrolled in and why did you choose that course?  
A. BA/LLB. I enjoyed studying politics in years 11 and 12 at school and so wanted to do an arts degree. The law part was an experiment and I planned to drop out after a year if I didn’t like it.

Q. Can you tell us about your career history?  
A. In the final years of my degree I worked as a research assistant for the Castan Centre for Human Rights Law and volunteered at the Asylum Seeker Resource Centre. After graduating I completed my Articles of Clerkship at Mallesons Stephen Jaques (now King & Wood Mallesons), then did an LLM at Columbia University in New York City. I came back to Australia in 2008 to work at the Human Rights Law Centre and have been there ever since, with short stints at the International Service for Human Rights and Victoria Legal Aid.

Q. What do you do for a living – describe a typical day for you at work?  
A. A typical day might include speaking to Government advisors, doing media interviews, drafting submissions for a parliamentary inquiry, meeting pro bono lawyers and barristers to discuss strategic litigation, or all of the above.

Our work involves a lot of skills that you don’t necessarily learn in the course of a law degree. That said, knowledge of the law is indispensable. A letter to a government department on behalf of a client is going to be taken much more seriously if it quotes the relevant legislation. Similarly, submissions to public inquiries can be more compelling if recommendations are based on Australia’s obligations under international law.

Q. Why did you decide to pursue a career in this field?  
A. I like the mix of black letter law, creative advocacy, client work and coalition-building.

Q. What do you most enjoy about your job?  
A. The people and the pace.

Q. What has been your career highlight so far?  
A. Perhaps my involvement in successful Supreme Court litigation around prisoners’ right to healthcare. I’ve also had some fantastic opportunities to work overseas, including training with other women’s rights advocates in Nepal, appearing before the UN Human Rights Council in Geneva and strategising with human rights NGOs in London and New York.

Q. How did your Monash Law School experience help you succeed in your chosen field?  
A. It taught me how to construct and communicate an argument. The Vis Moot subject was particularly good in that respect.

Q. Are you still involved with Monash Law School? If yes how and why?  
A. The Human Rights Law Centre works closely with the Castan Centre for Human Rights Law. I’m also involved in the Alternative Law Journal, which is based at Monash Law School.

Q. What are your favourite memories of your time at Monash?  

Q. What did you wish you had known while you were a student?  
A. I wish I had discovered volunteering earlier in my legal studies. The whole law school experience made a lot more sense to me after I started volunteering at a community legal centre.

Q. What did you want to do for a career when you were young?  
A. I wanted to be a scuba diver. I still want to be a scuba diver.

Q. What personal interests do you have?  
A. Surfing, music and travel. I also dance at the body electric studios.

Q. What is the best piece of advice you have received?  
A. A fortune cookie recently told me that I should never smell the inside of a hat. Seems like good advice, but now I keep wanting to smell hats.
Andrew Dexter
(BEc 1983, LLB 1985, Grad Dip Ed (Sec) 2011)
I graduated from Monash in 1985 with a Bachelor of Laws and a Bachelor of Economics. After working as a solicitor for three months at Mallesons and travelling the world for a year, I became an investment banker with Bankers Trust in late 1987. I spent 15 years in investment banking with Bankers Trust, Macquarie Bank and JP Morgan, punctuated by a 5 year break to complete an MBA in the USA and work for McKinsey and Co in management consulting. I moved on from investment banking just before the global financial crisis arrived and returned to Monash to complete a Dip Ed in 2010.
I am now working as a high school teacher teaching VCE Legal Studies at Star of the Sea College in Gardenvale.

Geoffrey Cohen
(Grad Dip Com Law 1985, Grad Dip Tax Law 1987)
In 1951 immediately after leaving school (having completed year 11) I commenced working for an uncle who was a chartered accountant. In those days, to qualify as a chartered accountant, one had to be employed by a practising chartered Accountant to be eligible to sit for the qualifying examinations which were conducted by the Institute. Whilst serving the required number of years to take those examinations I attended night school after work and sat for the examinations of the Federal Institute of Accountants which subsequently merged and today is part of Certified Practising Accountants (Australia). I then took the examinations of the Institute of Chartered Accountants. Next I sat for examinations and became a Registered Company Auditor and Liquidator and Government Municipal Auditor.
In 1956 I decided to seek experience in a larger firm and obtained employment with Fuller King & Co which had offices in Melbourne, Sydney and Perth. A few years later it was taken over by Arthur Andersen & Co that at one time was the largest international firm of accountants. In 1965 I was admitted to that firm as a world wide partner and was the second youngest of 350 partners that over the following three decades great to 3,000 partners. I was responsible for some prestigious clients including The Myer Emporium Ltd, Eisanda Ltd and The Stock Exchange of Melbourne. In addition to audits I was the engagement partner for a number of Merger and Acquisition assignments, Share Valuations and later as an Expert Witness for clients involved in litigation.
In 1983 one of my sons was studying Arts/Law at Monash and to motivate him I decided to take some subjects with a view to obtaining a diploma in Commercial Law. Upon completion of the diploma I enrolled to take more subjects and obtained a diploma in taxation law.
In 1990, after retiring from Arthur Andersen & Co (some years before its demise), I became a non-executive Director of a number of Public and Private companies.
During my working days I was Honorary National Treasurer of The Australian Red Cross Society from 1972–1975, President of The Institute of Chartered Accountants 1986–87, State President of the Australian Institute of Company Directors 1990–92, Chairman of The Inner Health Care Network 1995–1996 and for some years a member of the Monash Research Foundation for Reproduction and Development.

Herman Klein
(BEc (Hons) 1973, LLB 1985)
In the late 1970’s I commenced my law degree part-time and continued to work full-time in accountancy. When I completed my law degree I was in a quandary regarding completing my articles. At that time I had already established my body corporate management company and had to decide whether to continue with the business or pursue a legal career. I excelled in my moot court appearances and this made the decision that much more difficult. I decided to continue developing my business. The law degree was always very useful in providing a level of knowledge and service that my competitors had difficulty in matching.
In 2010 I sold Victoria Body Corporate Services Pty Ltd to a Swiss national.
I have fond memories of campus life. It was an exciting time dominated by the politics of Albert Langer and the Vietnam war. I also remember running to the Union building to watch on TV the broadcast of man landing on the moon.

Michael Dowling
(BA (Hons) 1981, LLB 1984)
Following graduation, I commenced my articles with Darvall McCutcheon where I continued for nine years gaining experience in a property and development practice acting for leading retailers, developers and charitable organisations in various projects, ending up as a Senior Associate.
In 1993, I moved to my current firm, Maddocks, and became an LIV Accredited Property Law Specialist a few years later. I have been at Maddocks for nearly 20 years, where I currently Special Counsel in the Property Group with a specialised practice mainly acting for local government clients. The variety of community issues involved and the particular statutory framework within which local government projects are undertaken, makes for an interesting and highly demanding practice acting for a variety of metropolitan and rural councils.
I regularly present seminars to local government and from time to time to the legal profession on a variety of property related subjects, have been a long term member of the Property Law Committee of the Law Institute of Victoria and presently its Deputy Chair and a member of the LIV Liaison Group with the Registrar of Titles and his senior staff. I have been involved in preparation of various submissions to the Victorian State Government on behalf of the LIV in relation to legislation concerning roads, subdivisions and retirement villages.
In my spare time, I am actively involved with the Anglican Church of Australia, including 12 years as Chair of Church Missionary Society – Victoria, a leading mission agency of the Anglican church which sends 150 professional people overseas to various parts of the world. I currently serve as a member of the Council of the Diocese of Melbourne and as Senior Deputy Chair of Committees of the Melbourne Anglican Synod.
Christian commitment is something of a family affair with my wife, Fiona as music leader of our local church, daughters Stephanie (21) and Hannah (18) serving as volunteers in Tanzania and Madagascar respectively and son Lachlan (15) actively involved in our local church youth group.
My seven years of academic endeavour at Monash has certainly provided a terrific base from which to launch a busy professional, community and family life.

Philip Field
(BEc 1983, LLB (Hons) 1985, LLM (Commercial Law)
I graduated with a Bachelor of Economics and a Bachelor of Laws with Honours. I worked in private practice after completing university and then worked as an in-house solicitor at the State Bank of Victoria, Commonwealth Bank and Colonial. I returned to Monash to complete my Master of Laws, graduating in 2000. In 2002, I joined the Banking Ombudsman’s office as Legal Counsel. When the Banking Ombudsman merged with other dispute resolution schemes to form the Financial Ombudsman Service in 2008, I was appointed Ombudsman – Banking & Finance. I have held that position for the last four years.
Alumni and Student Highlights

Where are they now? continued

Damian Perry (LLB 1984, BEc 1983)
I have worked in London as a solicitor since 1989 (having originally arrived for 24 months) and I have been a partner in Clifford Chance since 1999. I mainly specialise in real estate finance and one of my major projects over the last 22 years has been the financing of the Canary Wharf development in the east end of London (acting initially for the banks and since 1996 for Canary Wharf Group plc). Canary Wharf is, in terms of prime floor space, about half the size of the whole of the Melbourne CBD. It has been a very interesting and challenging experience acting on the development financing of every building and the infrastructure (Jubilee Line, DLR and soon to come CrossRail).

My only matter in London with a major Australian element was when I acted for the European banks led by Lloyds Bank on the restructuring of The Bell Group Ltd in 1990–1. This led to The Bell Group Ltd (in liq.) v Westpac [No 9] [2008] WASC 239 (WA) the longest running trial in Australian legal history I believe. My evidence in that trial given in 2006 included an inopportune fax inviting clients to a restaurant called Cafe du Marche to ‘celebrate’ the expiry of the security preference period. Owen J commented in his judgement that the restaurant was ‘worth a visit’ (see para 542); probably the first restaurant review in a judgement! Try visiting the restaurant when you’re next in London – it is still very good.

In 1983–4, I was secretary of the Monash Law Students’ Society and also a Vice President of what was then called the Australasian Law Students’ Association which then included New Zealand and Asia-Pacific law schools. I made many of my closest friends during that year and see them in many parts of the world today. During that year I was closely involved in setting up the Monash moot court competition within the law school which I am told by friends is thriving today. I was also closely involved in setting up (with Michael Wheelahan (now an SC) at Melbourne Uni who I’d met through ALSA) the inaugural moot competition against Melbourne Uni, which Monash won. Bob Baxt (the then Dean) was so pleased! The trophy was called the Sir Ninian Stephen Cup – I don’t know if this is still the trophy today. I remember writing to Sir Ninian, who was then Governor General, asking him if he would agree to have his name on the trophy and getting a hand written letter back from him insisting on being a judge and on buying the trophy! Fortunately I was able to assure him that Arthur Robinson & Hedderwicks (as they were then called) where acquiring the trophy in his honour as a seriously fun and exciting time on campus, I rejoined Monash at a much quieter time to have a go at a law degree part-time whilst working at the Corporate Affairs office in Victoria as an investigator. I completed the Bachelor of Laws in 1984.

I am now in Brisbane and working in a consumer protection role at the Australian Securities and Investments Commission. Part of my work relates to increasing the financial literacy of Australians and the other part is regulating Financial Advisers. I love it. It is not really a legal role as such but a law degree has proven to be very useful. In my spare time, such as it is, I volunteer in the King and Wood Mallesons sponsored program the National Childrens & Youth Law Centre online. Very satisfying and keeps up my legal skills. I highly recommend it.

We try to get away every six months for travel and the photo above was from a recent trip to Cuba. I am married to a legal academic (also at Monash) and have two boys aged 24 and 25 – both of whom are pursuing studies not in the least bit law related.

Pauline Kaufman (BEC 1976, LLB 1985)
Having had the best time at Monash in 1973–1975 completing a Bachelor of Economics and Politics at a seriously fun and exciting time on campus, I rejoined Monash at a much quieter time to have a go at a law degree part-time whilst working at the Corporate Affairs office in Victoria as an investigator. I completed the Bachelor of Laws in 1984.

I am now in Brisbane and working in a consumer protection role at the Australian Securities and Investments Commission. Part of my work relates to increasing the financial literacy of Australians and the other part is regulating Financial Advisers. I love it. It is not really a legal role as such but a law degree has proven to be very useful. In my spare time, such as it is, I volunteer in the King and Wood Mallesons sponsored program the National Childrens & Youth Law Centre online. Very satisfying and keeps up my legal skills. I highly recommend it.

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John Arthur (BA 1983, LLB 1985)
I graduated from Monash University with combined Arts/Law degrees in 1984 after having taken off 1980 for a pre-sabatical including a stint as a jackaroo.

The most enduring memory of my time at the Monash Law School was lively discourse with fellow students over coffee in the LSS rooms. When life got serious, I served articles at Price Brent, Solicitors and was admitted as a barrister and solicitor of the Supreme Court of Victoria in 1986. After practising in Melbourne as a commercial solicitor I took up a post as a solicitor with the Australian Legal Aid Office in Alice Springs. I did my first pleas and contests for colourfull clients before the local Magistracy including the legendary Magistrate Dennis (Dinny) Barrett, and trekking once a fortnight up to Tennant Creek for circuit Court.

After a European tour (by motorbike), I joined the Victorian Bar in December, 1989, cutting my teeth on the usual round of Magistrates’ Court matters and volunteering at Fitzroy Legal Service. My practice is now primarily in commercial litigation, wills, estates and various other civil matters. In recent years I have been a co-author of Civil Procedure Victoria.

I am married with four children and in my spare time enjoy travelling, music, reading – history and travel – and motorcycling.

Stephen Moulton (LLB 1985, BJuris 1985)
I was a Monash law student from 1980 to 1984 graduating in 1985 with a LLB and a BJuris, I commenced articles at Wiseowould Schilling in early 1985 and was admitted to practice in April 1986. I became an associate at Wiseowould Schilling in 1988 and continued in that role until joining Mills Oakley & McKay (as it was then known) as a senior associate in August 1989. I became a partner at Mills Oakley in 1990, managing partner in 1994 (until 2004) and chairman of partners from 2004 until January 2009 when I retired from the partnership to commence a new role as Melbourne partner in charge of legal at PwC which began in April 2009. I retired from the PwC partnership on 31 May 2012 to commence as a partner in Clayton Utz’s Corporate Advisory/M&A team on 1 June 2012.

My most enduring and most enjoyable memories of Monash are from my time undertaking the Professional Practice course run by the late and great Sue Campbell. Under Sue’s extraordinary mentorship, I developed a true passion for legal practice. I vividly recall having to attend the Oakleigh Police lockup to seek to bail out Monash Students arrested over their protests against then NZ Prime Minister Sir Robert “Piggy” Muldoon.

Michael Brugman (BA 1983, LLB 1985)
It has been a real privilege to have studied law at Monash. It was at a time when education was free and at a place where the focus was not predominantly on a quick commercial law degree.

Since graduating in 1983 with a BA and 1985 with an LLB it has been an even greater privilege to practice law. The practise of criminal law has taken me to the bush courts at Papunya, Mutijulu, Yuendumu and others in the Northern Territory during the time of mandatory sentencing when I worked at Central Australian Aboriginal Legal Aid Service.

As a community lawyer at North Melbourne Legal Service and volunteer at other legal services I found not just the support of the local communities but also real strong bonds and tireless dedication among those who formed the Federation of Community Legal Services.

I signed the Bar Roll in December 1989 and loved being a barrister. The appearance work exposed me to a parade of fascinating people and has continued during my time as the Senior Criminal Lawyer at Victoria Legal Aid in Geelong in 1999 and since 2001 in my own private practice.
Loane Skene
(LLM 1985)

It is some time since my LLM (by major thesis) at Monash Law School: ‘Intoxication and Criminal Responsibility’ (1983–5). I was then working as Principal Research Officer at the Victorian Law Reform Commission, chaired by Professor Louis Waller, whom many Monash alumni and friends will remember fondly, with Bronwyn Naylor, who has been at Monash for some time now.

I recall many pleasant times at the Staff Club at Monash during the LLM with Neville Turner, Bob Williams, Peter Balmford and others. Also, for more than 20 years, I have been a keen participant in the Monash Centre for Human Bioethics annual Intensive Bioethics Course, established by Peter Singer and Helga Kuhse.

For the last 12 years, I have been a Professor at the Melbourne Law School, specialising in Medical Law. I have served on numerous federal and state advisory committees, especially the Australian Health Ethics Committee of the NHMRC and the Lockhart and Heerey Committees on Human Cloning and Embryo Research. I was awarded a Centenary Medal by the Commonwealth in 2003 for ‘Service to Australian Society through the Exploration of Legal and Ethical Issues of Health Care’ and a Doctor of Laws (by Examination) by the University of Melbourne in 2008. I have been appointed a Plumer Fellow of St Anne’s College Oxford (where I collaborate regularly with Monash alumni, philosopher Julian Savulescu) and a fellow of Queen’s College, Melbourne.

Kevin Magee
(BA (Hons) 1983, LLB 1985)

While I was studying at Monash Law School I did not expect I would have a career in diplomacy, as I had focused on eventually going to the Bar. As the first step on this path I did my Articles with Corrs in 1985. However, I soon changed my mind and in January 1987, I joined the Department of Foreign Affairs and Trade as a trainee diplomat. After some basic diplomatic training and indoctrination, I was selected to learn Mandarin and I spent two years beginning in 1988 mastering Chinese. I studied Mandarin in Melbourne, Beijing and Taipei and began my posting as Third Secretary at the Australian Embassy in Beijing in 1990.

After an eventful two years I returned to Canberra where I worked on the Comprehensive Nuclear Test Ban Treaty negotiations. In mid-1992, I was awarded a three months United Nations Disarmament Fellowship in Geneva. I then joined the 47th Australian Delegation to the United Nations General Assembly in New York in October 1992, specialising in disarmament matters. After a further 18 months working on disarmament and United Nations matters in Canberra, I was posted as First Secretary to the Australian High Commission in Singapore, where I worked until mid-1997.

From mid-1997 to late 1999, I was Chief of Staff to the Victorian Minister for Science and Technology, the Hon. Mark Birell MP (also a Monash Law graduate). In this role I worked on science, technology and innovation policy for the State of Victoria.

In late 1999, I returned to Canberra and became responsible for bilateral relations with China. In DFAT, I have at various times held the positions of Director of the China Political and External Section (2007), Director, China Economic and Trade Section (2001), and Director, China Bilateral Relations Section (2000).

In mid-2001, I was appointed Deputy Head of Mission at the Australian Embassy in Moscow. I was charge d’affaires when Chechen terrorists seized the Dubrovka Theatre in October 2002, taking 800 hostages including two Australians. I was involved in the negotiations with the Russian authorities, the Chechen terrorists, and was in contact with the hostages during their ordeal and after the Russian military ended the siege. I was also interviewed by the international media on numerous occasions during and after the siege.

I also served as Australian Consul-General to Guangzhou from 2003 to 2006, in the centre of the economically dynamic Pearl River Delta of southern China, and as such witnessed first-hand the huge economic power of China. In 2008, I was appointed Australian Ambassador to Saudi Arabia, with concurrent accreditation to Bahrain, Oman and Yemen. I spent three and a half years as Ambassador in these fascinating countries. The last year was particularly engaging as the ‘Arab Spring’ spread around the region leading to outbreaks of violence and rebellion in Bahrain and Yemen, two countries to which I was accredited.

In August 2011, I took up my current position as the Australian Representative and Head of Office of Australian Office in Taipei. As Australia has no diplomatic relations with Taiwan, the Australian Office unofficially represents Australian economic, cultural and educational interests in Taiwan, which is Australia’s 6th largest export market.

In 2011, I was honoured to be awarded a Monash University Distinguished Alumni Professional Achievement Award. Throughout my career to date I have maintained close relations with Monash University and have always appreciated the excellent education I received at Monash, including at the Law School.

Jonathan SmITHERS
(BA 1982, LLB (Hons) 1985)

My final year was 1983 – a heady time, with the High Court bringing down a major decision on the biggest political issue of the day (what’s new?) – the Franklin River Dam case. I went to Corrs then Herbert Smith in London. But these turned out to be diversions away from my major interest – planning and environmental law. I joined the Victorian Government Solicitor’s Office in 1990 and stayed for 22 years. During my time I was again diverted by things such as the Pyramid Building Society litigation, and the Longford Gas Explosion Royal Commission. In between times, I tried to help successive planning ministers make decisions that wouldn’t be challenged in court or VCAT.

Last year I was appointed a member of VCAT. My role includes disciplinary cases about the conduct of lawyers.

Pauline Grodski
(LLB 1985)

I graduated from Monash Law School with a Bachelor of Law in 1985. I had spent two years teaching English and French at a private girls’ school after having obtained a Bachelor of Arts degree from the University of Melbourne. I subsequently ‘retired’ to raise a family. However, it did not take me too many years to realize that I needed some additional stimulation and decided that a law degree would present a challenge and, perhaps, a different career path in the future.

Due to discussions and encouragement which I received from Professor Bob Baxt, I started to study law part time at Monash in 1979 without any firm idea as to what the future held for a mature age student.

I was fortunate to be offered articles by Mark Leibler, senior partner at Arnold Bloch Leibler, and I started my career in the law in 1986 at the age of 40. I became a specialist in the field of taxation law and practised at ABL for twenty-three years. I retired as a partner in 2008 after a very satisfying legal career.

I am now enjoying the freedom to pursue my many interests both intellectual and physical and, of course, to spend time with my six beautiful grandchildren.

Kevin Magee
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Last year I was appointed a member of VCAT. My role includes disciplinary cases about the conduct of lawyers.

Vince Annetta

The most enduring memories of my time at Monash University, both as a student and as a teacher, are the relationships I formed with the teachers and students. The campus was a hive of activity, even on weekends, and much time was spent on the ‘Ming Wing’ lawn debating and solving the problems of the world. I was fortunate enough to be taught by many lecturers who were not only knowledgeable but skilled in captivating and holding the attention of students who were keen to return to the lawn! My lecturers included Professor Arie Freiberg, the late Professor Enid Campbell, Professor Bob Baxt and Professor Bob Williams. The latter was, amazingly, able to teach the hearsay rule (including the Subramaniam rule) in just one 40 minute lecture on a cold Thursday afternoon. I still have my Monash notes and textbooks and they have served me well over the years.

I am a Partner of Clayton Utz, specialising in commercial litigation and dispute resolution. I advise clients on a wide range of issues including competition and consumer law, contractual disputes and white collar crime. My practice provides many challenging opportunities to use the skills I gained at Monash. My professional life is balanced by an equally busy personal life as a father of six, one of whom is now studying law at Monash.
Where are they now? continued

Brendon Watkins  
(BEc 1983, LLB 1985)

After graduating from Monash, I commenced articles at Dunhill Madden Butler. In 1988, I negotiated a nine month leave of absence to take up a position with Coudert Brothers (a large New York based law firm) in Los Angeles. I became a partner at Dunhill Madden Butler in 1991, specialising in insolvency and reconstruction, and banking and finance litigation.

I really enjoyed my time at Dunhill Madden Butler, a firm with a great collegiate atmosphere. However, I subsequently moved to join Minter Ellison as a partner in 2000, when my old firm merged (with its name passing into the history books).

I have been extremely happy at Minter Ellison, where I continue to specialise in insolvency and reconstruction, bank litigation and security enforcement. I have been lucky to be recognised as a leader in my field in all of the leading guides, and still enjoy going to work every day.

My wife and I met at Monash in 1981 (no, she is not a lawyer) so there are lots of good memories. I have three children, ages 17, 14 and 11. My eldest daughter is doing VCE and will hopefully be heading to Monash Law next year.

Declan Hyde  
(BA 1983, LLB 1985)

I started my law degree in 1978, also studying languages, music & politics in the Arts Faculty, as in those days you had to do at least most of a second degree as well as Law. After two years, I took about 18 months away to work in mining, made some money and then went travelling around the world and spent it all, so decided to return to Constitutional Law and Administrative Law.

After returning in 1981, I studied full-time then part-time and graduated in Law in 1985. I did my Articles (as it was then called) with Ellison Hewison & Whitehead (as they were then called), bemused at the salary of $99.00 per week net. I then carried out a three year empirical study, working in Melbourne, Sydney and Perth with Freihills, Phillips Fox and Parker & Parker to confirm my view that being a solicitor was not really for me.

I looked at London, Tokyo, New York, Sydney and Cairns (yes) for my next direction, but decided to join the Melbourne Bar where I have been ever since, enjoying the autonomy and the constant professional and other challenges and moving over the years (decades) from a wide, general practice to purely commercial work.

Memories of Monash Law School? Friendships, photocopyers, awful powdered coffee in polystyrene cups, mooring, expectation, some doubts ... and being humbled by the likes of Lawrie McCredie and Ron McCallum.

Caryn Granek  
(BEC 1974, LLB 1985, MA 2011)

I graduated from Monash Law School in May 1985 with an LLB. I had spent ten years at the law school studying part-time as well as working full-time as an economist until 1979 when my first child was born. I continued my studies through the pregnancies and births of both my children and would like to share a very special memory of that time.

It was the start of the academic year 1980 when I enrolled in Property Law and Administrative Law, the latter being taught by Professor Ron McCallum. Towards the end of the semester I was in the advanced stages of pregnancy and found it uncomfortable to sit in the seats and so would spend the lecture sitting on the steps of the lecture theatre with my book in my lap. One morning Professor McCallum almost tripped over me (he is sight impaired and could not see me at all). He inquired as to why I was sitting on the step and I explained my circumstances to him. After the lecture he called me over for a chat and expressed grave concerns about my comfort during the forthcoming exam period. He offered to arrange a private room for me and for me to have personal supervision so that I could take breaks if necessary. As well as being a brilliant lecturer he was a very sensitive and compassionate man and I felt very privileged to be one of his students.

My daughter was born a week after final exams. Soon after I received a card from Ron congratulating me on the arrival of my daughter and also the successful completion of my exams. He also enclosed a poem he had written which touched me deeply and remains in my possession to this day.

I went on to have a very successful and satisfying career in the law – including a few years at the Australian Government Solicitor and then private practice, working mainly in litigation. I then joined the staff of the Deakin University Law School teaching contract and business law as well as alternative dispute resolution and practical legal skills.

In 2000 I changed tracks completely and enrolled at Monash University faculty of Arts to do a Bachelor of Letters followed by a Masters Qualifying and graduated last year in a Master of Arts. To complete the story my daughter recently gave birth to her first daughter (my fourth grandchild) which brought back to me all those memories of the special time I enjoyed when she was born. I loved my time at Monash Law School and learned a lot about the law and about life.

Bill Velos  
(BEc 1983, LLB 1985)

I attended Monash between 1979 and 1984 for my BEc and LLB Degrees. I graduated in my LLB in 1984. I have practised since 1985 as a solicitor in Melbourne in small practices. Since 2005 I have been practising as a sole practitioner in the areas of personal injury/commercial/commercial litigation.

George Georgiou  
(BEc 1985, LLB 1985)

I commenced articles at Maurice Blackburn & Co in 1985. It was a greatly enjoyable and rewarding experience but in 1988 the urge to travel got the better of me. I left Australia and travelled through much of Asia and Europe for the next two years. I managed during this time to work for a small firm in London for 12 months and through that work I developed an interest in criminal law. It must have been the Sam call outs to Hackney Police Station that did it.

In March 1990 I returned to Australia and commenced reading at the Victorian Bar. In late 1994 I was invited to do a locum with the NT Legal Aid Commission in Alice Springs. Having worked at the criminal bar for four years I was aware of the many barristers before me who had made the trip. It seemed an offer too good to refuse.

On arrival in the Alice I was immediately struck by its beauty and what had been an eight week locum turned into a wonderful seven years outback experience. I returned to Melbourne in 2001 and took up a position with VLA as a senior public defender. In 2007 I returned to the Bar where I continue to practise in criminal law.

Having graduated from Monash in 1985 I now also find myself back there as a part-time teacher in advocacy. It has been a great journey. I don’t think I would have done it any other way.

Sharon Thurnin  
(BA 1983, LLB 1985)

Whilst not practising law my degrees have laid the foundation that eventually led me to start my own global healthy snack business Slim Secrets in 2006.

A couple of months after completing my Arts/ Law degree at Monash University in 1984 I had my first child Jamie (who also did Law at Monash and is now a lawyer). At this time I worked with my husband in his pharmacies whilst the kids were growing up.

In 1992 I went back to Monash University and did a diploma of education specialising in teaching legal studies. I only did that for a short time before having my third child.

In 1997 with my sister-in-law (also a Monash law graduate) we wrote a First Aid book for children and donated part of the proceeds to SIDS. This book became a best seller and was sold on the counter of supermarkets and big chain stores. My interest in health continued when I helped set up an anti aging clinic with top specialists and it was from there that I realised there was a gap in the market for on-the-go convenient, healthy and great tasting snacks which led to my Slim Secrets journey. Our products can be found in all major supermarkets, health food stores, pharmacies, gyms and more. Slim Secrets is sold in over 10 countries and some very exciting times ahead.
Erskine Rodan  
(GradDipFamLaw 1985)
I completed a Postgraduate Diploma of Family Studies at Monash in 1985. I have not included activities from 1974–84 which included the establishment of the Nunawading Legal Service. I chaired that Service from 1974–81.
I have enjoyed being a lawyer. I have served as a Councillor of the Law Institute of Victoria. I have also served on various committees at the national level through the Law Council of Australia. My main interests have been in human rights issues and immigration law, including refugees. I am an accredited specialist in immigration law.
I was a founding member of the Refugee Advice and Casework Service (now RILC).

Outside the legal profession I am a Trustee on the Board of the Margaret Pratt Foundation. This Foundation provides research funding to the Alfred Hospital for heart and lung transplants.
In 2003 I was granted High Commendation Award by the Human Rights and Equal Opportunity Commission.
On Australia Day 2006 I was awarded the Medal of Order of Australia for services to the law, the community and to refugees.
In 2007 I was made an Honorary Life Member of the Law Institute of Victoria and was awarded the Paul Baker Prize recognising my significant achievements in administrative law and human rights law.

Jim Mellas  
(BEC 1983, LLB 1985)
I started at Monash University in March 1980 as a long haired 17 year old who had ambitions to one day become a criminal law barrister. That year was also significant as it was a Richmond Premierships year (the fifth premiership I had seen in my life) with the promise of more to come. It is the only championship I have seen in my life that converted a brain into a mind.

I was doing most of my own appearances in various courts during this time and enjoyed being both a solicitor and an advocate. In 1991 I became an accredited specialist in Family Law. By 1997 I felt I needed to come back to the city and initially joined Cornwall Stodart as their Family Lawyer. From there I became a partner of Rogers & Gaylard and built up a substantial family law department (which later became the Melbourne Family Law department of Harwood Andrews).
I finished my days as a solicitor as the Family Law Partner of McKean Park. I was also involved with the Family Law Section of the Law Institute of Victoria and was a member of the Executive Committee of the section. In March 2011 after more than 25 years as a solicitor I finally started the Bar Readers Course and signed the Victorian Bar Roll in May 2011.
I have been a regular speaker at legal seminars and conferences and have spoken on a range of subjects from Family Law and Defacto Relationships to succession planning and family business. I had a number of papers published on a range of topics including Binding Financial Agreements, Defacto Relationships, Expert Witnesses, Estate Planning and Family Law. I have also featured in a number educational DVDs on Family Law. In the mid 1990's, I had a regular legal segment on 7AW speaking on various legal matters and in 2010 for a period of time I appeared as a semi regular guest on 2UE’s ‘Legal Matters with Julie Singleton’ speaking on Family Law matters. Outside of the law, I am former director of the South Melbourne Football Club and in that capacity was heavily involved in the negotiations with the Victorian State Government for the $50 million redevelopment of the Lakeside Oval at Albert Park. I also lead a consortium known as Southern Cross FC which was bidding for the second A League licence in Melbourne. I was also a delegate to the 2001 Corova Peoples (Constitutional) Conference which was quite an interesting experience. More than 32 years after starting at Monash I have also remained a (now very long suffering – but hopefully not for long) Richmond supporter.

Simon Mann  
(BEc 1981, LLB 1985, GradDipTaxLaw 2001)
The carefree days at Monash Law School were among the most memorable of my life, even the day to day fun of booting a football out the front at lunchtime to the eternal chagrin of our lecturers. That area is all concrete and building now! The carefree days at MonashLaw School were among the most memorable of my life, even the day to day fun of booting a football out the front at lunchtime to the eternal chagrin of the music professors in the south Min Wing. That area is all concrete and building now! The other great memories this time and lifelong friendships formed and, above all, the uncompromising academic standards and intellectual rigour… that converted a brain into a mind.

My joint Economics degree (completed 1980) was equally demanding and a great education in itself…how the world of commerce has changed!
I completed law part-time by 1984, was admitted in 1986 and after several years in Chartered Accounting and Corporate Finance (specialising in tax), and a year as a parliamentary adviser, and have enjoyed practising on my own account for the past 10 years. The career will finish one day (hopefully sooner than later) but the education will never finish… the one memory of Monash that will always stick is its motto “I am still learning.”…

Marcus Bezzi  
(BA 1983, LLB 1985)
The highlight of my law degree was ‘Professional Practice’ in 1983 during which I became involved with Springvale Legal Service. I loved that first exposure to helping clients. It gave me a taste for helping people to help themselves. It also gave me an understanding of the good that lawyers can do that has remained with me through my career. I became a volunteer with Springvale Legal Service and one of its directors. I also met a number of people through Springvale who became and remain very good friends. I remained involved at HLS until going overseas in 1989.
After articles in 1985 I was admitted as a Solicitor and worked at Maurice Blackburn & Co for three years. That was a busy and hectic time with tremendous colleagues.

In 1989 I went overseas to London and worked for a small but exciting firm of Solicitors – then known as Stephens Innocent.
I returned to Australia – settled in Sydney and began work with the Australian Government Solicitor in Sydney in 1991, I had a fascinating time there for 15 years. I specialised first in administrative law and broadcasting law, then competition law and consumer protection enforcement for the TPC and then the ACCC. One of the highlights for me was working as instructing solicitor during the so called ‘cash for comment’ inquiry run by the Australian Broadcasting Authority. Once again I worked with some very impressive colleagues.

After AGS I went to the newly formed Communications and Media regulator – ACMA and became head of the Legal Division.
I currently head the Enforcement & Compliance Division at the Australian Competition and Consumer Commission. I have been in this role since January 2009. The ECD has around 270 officers in nine locations around Australia. We enforce the Competition Law and the Australian Consumer Law and also have a broader compliance role educating and engaging with businesses and consumers about their obligations and rights.

Warwick A Rothnie  
(BA 1983, LLB (Hons) 1985)
After graduation and articles, Ann Duffy and the then dean, Prof. Baet, arranged to send me off to London for further study. I still remember as if it were yesterday the wonder I felt at seeing black London cabs and red double decker buses for real on the first day I landed. I met students from all round the world and travelled to all sorts of places. Needless to say, I had a ball! After returning, I spent 10 years at Malleisons, including five as a partner. These days, I practise as a barrister; mainly in intellectual property matters involving disputes about patents, copyright, trade marks or designs and moonlight with some postgraduate teaching. Who’d have thought catching the bus to Clayton down Blackburn Road would have led to such opportunities?

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Renata Alexander  
I completed my BA/LLB degrees from 1973 to 1977 and graduated from law in 1978. I enjoyed most of the law course but found the subjects reflected the imbalance of power in many situations. I was a founding member of Feminist Lawyers (which kept me sane and led to lasting friendships) and of Socialist Lawyers (which not surprisingly had few members). I started working as a volunteer student at a community legal centre in 1975 and I am still there today as a volunteer lawyer. I then completed postgraduate qualifications culminating in a PhD on gender bias in family law. I was awarded my PhD in 2001.  
I have been a senior lecturer at Monash since 2002 teaching various undergraduate and postgraduate subjects in the faculty and in its clinical legal education program.  
I have managed to work both as an academic and as a practising lawyer. As a lawyer, my first and longest position was as an in-house senior casework family lawyer with Victoria Legal Aid (and its predecessors) for 17 years followed by casework family lawyer with Victoria Legal Aid and longest position was as an in-house senior legal officer. In 2011 I was appointed a Notary Australian Defence Force as a Specialist Reserve for service to the Australian Defence Medal for service to the Australian Defence Force as a Specialist Reserve legal officer. In 2011 I was appointed a Notary Public by the Supreme Court of Victoria.  
I have fond memories of my time at Monash and most of all, I’m grateful for the opportunities my time at Monash has provided me and my family. I am married to Paula and have three children and one recent grandson.

Stretch Kontej OAM  
I completed my Bachelor of Economics at Monash in 1983 and my Bachelor of Laws in 1985. After graduating, I returned to my home town of Geelong and commenced work for local law firm Coulter Burke and was a partner with this firm from 1988 until 2002. After completing full-time studies at Monash I kept studying part-time and in 1989 I completed a Master of Laws at Monash. This was before the internet and required me to travel from Geelong to Monash Clayton campus twice a week, once to attend week day night classes and then again on the weekend to access the library. I subsequently also completed Master Degrees in Commercial Law and Business Administration at Deakin University and in 1999 was awarded the Deakin University Law School’s first doctorate in law. My thesis was in the area of international humanitarian law. Its writing coincided with my time as a part-time member of the Refugee Review Tribunal.  
In 2002 I decided to move out of private practice and into the commercial world. I was legal counsel for national franchise group Sportsco for two years progressing to the role of operations officer and for two years I was General Manager. In 2008 I joined international optometry group Specsaavers as Legal Director Asia/Pacific. Since then, Specsaavers has revolutionised optometry in Australia and I have had the conduct of many Federal Court advertising cases which have helped define Australian Consumer Law especially in the area of comparative and online advertising. For my work with Specsaavers, in 2011 I was named the ACLA Australian Corporate Lawyer of the year.  
I have been a Councillor with the City of Greater Geelong since March 1998 and was Mayor of the City in 2001–2002. I have a long history of community involvement, particularly in supporting ethnic communities, for which I was awarded the Order of Australia Medal in the Queen’s Birthday Honours List in 2001. In 2003, I was awarded the Centenary Medal for services to Local Government and in 2010 I was awarded the Australian Defence Medal for service to the Australian Defence Force as a Specialist Reserve legal officer. In 2011 I was appointed a Notary Public by the Supreme Court of Victoria.  
I have fond memories of my time at Monash and most of all, I’m grateful for the opportunities my time at Monash has provided me and my family. I am married to Paula and have three children and one recent grandson.

Jeff Giddings  
(BEC 1985, LLB 1985)  
I was the first member of my family to have the opportunity to study at university and my life continues to be greatly enriched by my experiences at Monash University. It took some time for me to adjust to the lecture-based teaching and self-directed learning that I encountered at Monash Law School. As I started my final year of study, I was uncertain about pursuing a legal career but then I enrolled in the ‘Professional Practice’ subject and was placed at Springvale Legal Service. For the first time, the law ‘came alive’ as I was given the opportunity to work with real people facing real problems. In the clinical program, I was supervised by Simon Smith and Jon Faine, fine lawyers who demonstrated to me the importance of access to justice and the potential of learning by doing. The Monash clinic program provided me with an educational experience without peer. My clinic supervisors sparked my interest and enthusiasm in a very special way and I will always be grateful to them and to Monash Law School for the great experiences I had.  
For more than 25 years, clinical legal education and access to justice have defined my professional life. I worked at Fitzroy Legal Service then West Heidelberg Community Legal Service, supervising La Trobe law students. I completed an LLM at Monash before moving to Queensland in 1995 to set up the clinical legal education program at Griffith Law School. In 1999, I received the Federal Government Award for Excellence in Teaching in Law and the inaugural Griffith Award for Excellence in Teaching. I have served as Deputy Dean and am currently the Director of Professionalism. We offer our students an extensive range of clinic opportunities including Australia’s first Street Law program with students making law-related presentations in schools.

Rosilyn Ivanyi  
(BEC 1983, LLB 1984)  
Rosilyn is currently a Senior Corporate Lawyer with CGU Insurance. In 1984 she graduated from Monash completing a combined Economics/Law course. Since graduating she has focused her career in the area of in-house legal practice. Rosilyn joined CGU Insurance in 2008 having previously held in-house corporate legal roles with the Confederation of Australian Motor Sport and Bradstock Insurance Brokers. Rosilyn’s areas of practice include: Commercial Contracts, licensing agreements, Privacy matters, Intellectual Property matters, Financial Services Regulation and Commercial disputes.  
Rosilyn is married with two children and in her free time enjoys theatre, dining out and spending quality time with family.
Debbie Mortimer SC
(BJuniors 1985, LLB (Hons) 1987)

After graduating, I decided to do my articles with a small firm, instead of a large one. In 1988 I was articled to Gordon Goldberg, a partner in what was then known as Goldberg and Window, working out of offices in Bridge Road Richmond. Gordon is a remarkable lawyer, and a principal with high standards. Precedents in drafting court documents were frowned upon during my articles – “look at the Rules and work it out” was the first piece of advice I was given. From a very busy and diverse general practice in Richmond, I moved to a different legal environment – working as an Associate in the High Court. I was privileged to be an Associate to (then) Justice Gerard Brennan. Having always wanted to be a barrister, I decided to go straight to the Bar after my year at the High Court, the wisdom of that decision being something on which views will differ. However I spent quite a few years doing a wide variety of matters in many jurisdictions, learning a lot from running my own matters and being constantly on my feet (and often with a brief delivered at 5pm the night before).

More than twenty years and two children later (and a few years back at Monash Law School in there as well), I’m still at the Bar and I’ve had an exciting and privileged journey assisting and representing a wide range of clients, both applicants and respondents, acting for and against government. I’ve been fortunate enough to appear in some ground breaking litigation in public law, anti discrimination and environmental law. The Victorian Bar is a strong and increasingly diverse institution, one which prides itself on ensuring access to justice for all and many of my colleagues give up significant amounts of their time without expectation of fee to pursue that goal.

Monash Law School was instrumental in instilling in me, and many of my contemporaries, a strong sense of social justice, which we have all taken with us into our practice of the law.

Andrew Pitney
(BSc 1985, LLB 1985)

I graduated with a Bachelor of Science (Pharmacology) degree in 1981 and a Bachelor of Laws degree in 1984. My plan was to work in an area that combined my pharmacology and law degrees, however my career took quite a different path. After completing Articles and being admitted to practice, I took an in-house position at CRA (now Rio Tinto) and later transferred to CRA subsidiary (Bougainville Copper) in the North Solomon Islands of Papua New Guinea. I lived in the mining town and worked at the mine site in the mountains, where leisure time was spent swimming, scuba diving, sailing and waterskiing.

After a couple of years (and a craving for a decent coffee) I returned to a large law firm in Melbourne where I specialised in planning & environmental law and property & construction law. In the early 1990’s we saw the emergence of privately financed infrastructure projects and I was fortunate to be one of the advisors to Transurban on the Melbourne City Link project.

I joined Corrs Chambers Westgarth about ten years ago and have specialised in infrastructure and construction projects throughout Australia. I was appointed as the Partner in Charge of the Corrs Melbourne office a couple of years ago and now divide my time between a managerial role and client work. My role in the firm enables me to help focus our external activities through contributing to the broader Melbourne community and business development initiatives.

Some of my early memories of Monash are:

- The smoke-filled small caf (with the aroma of questionable substance), listening to records in the John Medley library, long lunches at the Nott,
- The inability of the law and science faculties to coordinate their timetables (there were only about five science/law undergraduates at that time),
- Hitchhiking home from the hitching post at the front entrance.

Zana Bytheway
(BA 1984, LLB 1985)

Monash University in 1980 was big and bold. As a migrant who lived on a farm and was brought out to Australia by my aunt and uncle, Milka and Romulus Gaita to live in the small town of Maryborough, Monash felt as vibrant as New York.

It was progressive and radical and I was fortunate enough to experience much of its innovative programs like the Law School’s Moot Court which put fear into its participants but made them all the more ready for their journey into law.

I recall the visit by Prince Charles in 1981 and the controversy which surrounded this visit which was highlighted by student demonstrations.

I completed my Arts/Law degree in 1985 and graduated in 1986.

After a long stint in private practice I found my true calling in the Community Legal Sector in 2000. I have been the Executive Director of JobWatch, an Employment Rights Community Legal Centre for 10 years and have found it to be the most worthwhile part of my career to date.

Providing disadvantaged Victorian workers access to justice has its own rewards.

If you would like to share your career, have an interesting story to tell or know of Monash Law Alumni who have a story, contact Alumni Relations Coordinator kate.daley@monash.edu
Some practical reflections on leveraging law school

Stuart Bruce (LLB 2006)

Commencing at Monash University in 2001 was like an awakening, and the beginning of a 6-year intellectual and social journey. The following piece is a reflection on that journey. Hopefully it contains a few nuggets of practical advice about leveraging law school, particularly for those interested in taking a few different ‘tracks’ along the way.

After completing a degree in psychology and business management I interned with a large housing finance company called HDFC in Mumbai India, then started a Monash LLB. So began a challenging and fulfilling journey. The LLB fostered intellectual growth, opened my mind to a world of institutional anthropology and galvanised my passion for social justice. In particular, it cultivated my love for international law and enabled me to travel and study in Italy. Like many students, I also worked part-time and actively participated in leadership roles with the Law Students Society – a great way to have fun while developing valuable skills.

"These experiences were not readily available in Australia, but were made accessible by a first-rate Australian education"

Stuart Bruce (LLB 2006)

Those skills were well regarded at PricewaterhouseCoopers, where I commenced my professional career, and then in commercial litigation with Macpherson + Kelley Lawyers. Love or loathe the corporate world, these jobs developed practical transferable skills that I use regularly. So does volunteering, which is particularly important for those seeking international law experience, which is rather limited in Australia.

Volunteering with the Australian Red Cross was a pivotal growth experience. There I helped establish its first international humanitarian law community education volunteer group, Friends of IHL. I still marvel at the strong Monash presence in this group, which is flourishing today. For years I had wanted to study overseas, and during this period I successfully applied for the Master of Laws (International Law) program at University College London (UCL). In 2011 my partner and I packed up and took the plunge into a somewhat uncertain adventure.

Well what are my tips about postgraduate study abroad? If you are contemplating it – then do it! And immerse yourself in the stream of opportunity that awaits you.

Beyond study I run a small team of students as Managing Editor of the UCL Jurisprudence Review, thereby developing additional practical professional skills. The highlight however, has been participating in the Telders Public International Law moot competition. In March the UCL team won the national finals and was fortunate to represent England at the international finals, against 27 other excellent teams. Perseverance and commitment helped us make it through to the grand final against the University of Oslo. The crowning experience was presenting my oral submissions before the International Court of Justice. It’s not every day that one gets to joust head-to-head with ICJ judges, but it is possible if you take the plunge!

Beyond university I actively sought-out volunteer opportunities in climate change law. As a result of this, in May I attended the UNFCCC Bonn negotiations with a small delegation from the NGO Legal Response Initiative. LRI provides legal advice to least developed country delegates. For me, this was an eye-opening insight into the complex political process of international law-making. I also volunteer for a terrific lobby group of lawyers and former civil servants called the Coalition for the International Court for the Environment. Volunteering provides vibrant experiences, and is a great avenue to engage with people and projects that otherwise seem beyond reach.

These experiences were not readily available in Australia, but were made accessible by a first-rate Australian education}

Stuart Bruce (LLB 2006)
To the next thirty years...

By Jordane Hyams

Isn’t it lovely when you meet with a few friends you haven’t seen for a while and it feels like nothing has changed? Conversation flows, and you are genuinely interested in what others have to share about their lives. Much can change in a few months when contact is perhaps less frequent than you’d like it to be. Life moves quickly and before we realise it, a few months have escaped us and another catch-up is in order.

For six people sitting in a small Lebanese restaurant, their bond is anything but ordinary. Together, these six people share thirty years of friendship which was founded during their studies of Law at Monash University. These Monash alumni – Lisa Mann, Ross Hyams, Michael Wise, Carmella Ben-Simon, Luisa Bazzani and Sharona Frid – have stayed in touch as close friends, sparked by their connection through Monash Law. Starting off their studies at the same time, the six didn’t even know each other before entering into the law school. Thirty years later, each individual could comfortably narrate each others’ lives.

Their friendship, spanning three decades, is perhaps made even more incredible considering that the connection these six share is the fact that no two are alike in their professional lives – these friendships have not been formed through work relations, as each person works in a different stream of ‘the law’. A friendship founded during their studies alone, the six share a close bond and present a perfect demonstration of the diversity of careers made available through the law degree.

Lisa works as corporate counsel in her family’s business. Ross is a legal academic and works as a solicitor in a community legal service. Michael and Carmella, both barristers, focus on commercial legal matters and family law respectively. Luisa is a magistrate and Sharona is a solicitor in her own practice.

In 1982, Lisa, Ross, Michael, Carmella, Luisa and Sharona met at the beginning of their degree, and spent the five years of their studies as a tight knit group. Post graduation in 1986, the six scheduled a dinner as a casual catch up – and have been doing so on a regular basis ever since. Each person is a representation of a pathway that law takes you, and they spend their catch ups fascinated by one another’s anecdotes of their separate practices in the legal system.

Were it not for Monash, many things would have been different. The connection established between these six not only demonstrates the rich and diverse career Monash Law offers its graduates, but further, it shows that the ties of friendship can withstand time.

Book launch in Stockholm

The Faculty of Law congratulates Dr Richard Joyce on the launch of his new book, *Competing Sovereignties* on 14 September 2012. The book is based on Dr Joyce’s PhD thesis and provides a critique of the concept of sovereignty in modernity in the context of competing claims at the international, national and local levels.

The book was launched by Professor Sundhya Pahuja (Melbourne Law School) at the Critical Legal Conference, a major annual international conference of critical legal scholars which was held this year in Stockholm. The event was supported by the Monash Faculty of Law and was attended by over 130 conference delegates. Professor Patricia Tutt, Executive Dean of the Birkbeck School of Law, University of London (where Dr Joyce completed his PhD) also spoke.

Professor Pahuja said of the book: “*Competing Sovereignties* offers an extremely sophisticated account of modern sovereignty and its contemporary crisis, grounding the theory in an acutely observed case study of intellectual property rights in India, and the impact of the World Trade Organisation. Not only is the book at the cutting edge of the discipline of international law (broadly conceived), it is a very compelling read. This is a noteworthy achievement for any academic text, but for a work of this theoretical sophistication, range and multi-disciplinarity, it is a singular feat. I have no doubt that the book will receive a wide readership.”
**Law School News**

**US program offers a life-changing experience**

James Brooks, a fifth-year Arts/Law student has been selected to take part in a prestigious American internship program that will give him rare access to the United States political system and its institutions.

James was one of 12 students recently selected from almost 100 applicants to take part in the Uni-Capitol Washington Internship Program (UCWIP).

"It was a stroke of serendipity that when I returned from a life-changing trip to the Northern Territory community of Nganmarryanga, another fantastic opportunity was waiting for me in the form of an email about UCWIP," James said.

"My experience reignited my passion for politics and government to have a positive influence on the world."

In his application essay, James said the 21st century would be a period of unprecedented change in human history, requiring global solutions.

"UCWIP promotes cross-cultural understanding, nurtures global relationships and teaches interns about the structure in which world affairs are conducted," James said.

"This program will equip me with these skills so that I can help seize the opportunities and overcome the challenges of the 21st century."

James will spend January and February 2013 in Washington, D.C. completing his internship.

"The UCWIP will allow me to observe the operation of the political process in the world’s quintessential democracy and I know that one day I will be able to look back upon my experiences in Washington as another genuine life-changing experience," James said.

Monash is one of a select number of Australian universities to have joined the UCWIP, which allows students to complete a two-month, full-time internship in a US Congressional office.

Students were invited to apply for the program from early 2012. Monash Abroad Coordinator Sarah Argles was delighted that a Monash student had been selected.

"There are very limited places in the UCWIP, and this was the first year that Monash University was taking part, so we are very proud that James was selected," Ms Argles said.

**Children’s rights advocate honoured**

A Monash Law School student dedicated to supporting the voices of marginalised and vulnerable young people has been honoured at the 2012 Children’s Law Awards.

Chris Varney, who is currently in the penultimate year of his Bachelor of Laws, was recently announced as the winner of the ‘National Award for Youth in Advancing the Legal Rights and Interests of Children and Young People’ at the awards ceremony.

An advocate on disability rights, Indigenous children, out-of-home care, homelessness, juvenile justice and immigration detention, Chris said winning the award was an incredible honour.

"I am very grateful and humbled to have received this award. It has been a privilege to help build a movement of youth advocates behind the implementation of children’s rights. We are making real progress and this award inspires me to go further," Chris said.

Chris is the youngest member of the steering committee of the Child Rights NGO Taskforce. He contributed to the preparation, delivery, promotion and dissemination of the 2011 NGO Report, ‘Listen to Children’. This report was delivered to the United Nations Committee on the Rights of the Child at Australia’s NGO pre-sessional hearing in Geneva in October 2011.

The Report included 40 testimonies from Chris’ book ‘Dear Kevin’, which was the product of letters written by almost 800 children on a range of issues.

Associate Professor Paula Gerber, from Monash University’s Castan Centre for Human Rights Law nominated Chris for the award.

"Chris is passionate about children and young people’s rights and in particular their right to participate. Through all his work he has shown that it is essential to advocate with children, not just for them," Associate Professor Gerber said.

"His efforts in youth consultation and empowerment have all been focused on gaining a political commitment to the establishment of an independent National Children’s Commissioner. This vision was finally realised by the Gillard Government in April 2012.

"I am extremely proud of Chris and am looking forward to watching him continue his career in human rights. He is a wonderful role model for young people and an inspiration to many.”

Chris Varney
Maddocks High Achievers Program

‘Growing a Thick Professional Skin: Resilience in Legal Practice’

A distinguished panel comprising the State Coroner, Judge Jennifer Coate and former Family Court of Australia Judge, Prof. The Hon. Nahum Mushin, former Victorian Public Advocate, Julian Gardner, shared highly personal accounts of how they managed their demanding work.

Monash alumni and high achievers were engaged in an interactive session at Monash University Law Chambers, chaired by Catherine Dunlop, a partner at Maddocks who acted for the Country Fire Authority in the Black Saturday Bushfires Royal Commission.

As might be expected from such a distinguished panel who had spent their lives dealing with ‘impossible’ situations and cases, there was lots of advice about how to manage the stresses of legal professional life. One panelist made sure that she undertook some activity between work and sleep, no matter how late, to stop lingering irksome thoughts intruding on vital rest. The panelists all agreed that having the support of one’s colleagues and peers was invaluable. Julian Gardner, for example described how moved he was when the matron at the hospital rang him the day Maria Corp’s life support was switched off, on his order, to check that he was ‘okay’. Nahum Mushin noted, only partly in jest, that much could be resolved if judges had the power to ‘order you to be reasonable’.

Dean Professor Arie Freiberg AM, stressed the value of learning about, and being open to, Appropriate Dispute Resolution approaches as an antidote to the adversarialism which often makes things harder for clients and lawyers.

The Faculty remains committed to passing on wisdom from those that have gone before to students and alumnae just starting out on their professional journey.

Debating win

The Monash Association of Debaters (MAD) has continued its unbeaten streak, taking out the Australasian Intervarsity Debating Championships (‘Australs’), held in Wellington, New Zealand.

For the first time in the history of the Australs, two teams from the same institution contested the grand final, with ‘Monash 1’ narrowly edging out ‘Monash 2’. The teams debated ‘That we should introduce good Samaritan laws’, with Monash 1 arguing for the affirmative. Five of the 6 students debating were current law students.

The success at the Australs, which Monash has taken out nine times, follows on from MAD’s win at the World University Debating Championships (WUDC) earlier this year, against teams from Oxford, Stanford and the University of Sydney. MAD also won the WUDC in 2011.

In addition to the overall success, Chris Bisset (BA, LLB) was awarded the Martin Sorensen Trophy for best speaker of the tournament, while Kiran Iyer (BA, LLB) took home the Jock Faneslow Trophy for best speaker in the grand final. Chris and Kiran, with Madeline Schultz (BSc, LLB), made up Monash 1. Gemma Buckley (BA), James Beavis (BSc, LLB), and Colette Mintz (BA, LLB) were the Monash 2 team.

Kiran said he was proud that all members of the contingent had turned in such strong performances.

“To have the grand final contested solely by Monash debaters is a remarkable achievement,” Kiran said.

“We had four teams that only narrowly missed out on making the finals, so overall, it was a really strong showing. Following on from our success at the WUDC, we have a clear claim to being the best debating university in the region at the moment.”

The Australas contest is the world’s second-largest international debating competition, behind the WUDC. More than 300 students from countries including Japan, Indonesia, Malaysia, Australia and New Zealand participated between 8 and 16 July this year.

Teams competed in eight preliminary rounds, on topics such as international peace and security, ethics, economics and social policy. The top 16 teams went through to the finals competition.

MAD is the largest debating society in the Southern Hemisphere and has been empowering students to speak their minds for 50 years.
Law student off to study in Spain!

Maxine Lange, a current Arts/Law student was recently awarded the Walter Mangold Trust travel scholarship. The scholarship will assist Maxine with her studies in Madrid at the Universidad Autónoma de Madrid where her law classes will be conducted in Spanish.

The Walter Mangold Trust was created to commemorate the beliefs of Walter Mangold who devoted much of his life to teaching languages. The Walter Mangold Trust aims to contribute to the development of international understanding between peoples by virtue of the study and dissemination of their languages. Walter Mangold felt that better understanding would lead to greater international tolerance and less conflict.

Each year the Trust awards scholarships to students to study language abroad, specifically Mandarin, Japanese, Spanish and Indonesian.

Maxine said “Studying law in Spain will be a great way for me to familiarise myself with the law of the European Union and with International Law generally.”

Like Walter Mangold, Maxine is passionate about languages. As part of her Arts/Law degree at Monash she is studying Chinese, Japanese and Spanish, and can also speak basic Hebrew and Tamil.

“Through the study of languages, individuals gain a deep understanding of the protocols and traditions of another culture. This allows individuals to empathise more strongly with people from different cultures and ultimately leads to greater international tolerance. I think that language studies are the perfect accompaniment to a law degree. This is because learning a language relies on rational and logical thinking much like the study of law. Language skills are also an asset for lawyers working in an increasingly globalised market” said Maxine.

Towards one world

Volume Two of Judge Christie Weeramantry’s memoirs was launched on Monday 1st October. This edition is titled Towards one world: The memoirs of Judge C.G Weeramantry Volume II: The Australian Years and focuses on his time at Monash University, prior to his appointment as Judge and Vice-President of the International Court of Justice at The Hague.

Judge Weeramantry has devoted much Judge Weeramantry is a previous winner of the UNESCO Prize for Peace, has dedicated several decades of his professional life to exploring the shortcomings of legal systems and addressing major law-related problems confronting modern civilisation.

The book was launched by Professor Ed Byrne AO, Vice-Chancellor and President and was attended by over 90 guests.

Monash Law School Foundation

In 2011 Deputy Chancellor, Mr Ian Pyman retired as Chair of the Monash Law School Foundation. We would like to thank Mr Pyman for his hard work and congratulate him on the achievements the Foundation reached while under his leadership.

We are pleased to announce the new Monash Law School Foundation Chair is Ms Jane Hodder. Ms Hodder brings a wealth of knowledge to the role and we wish her the best of luck and look forward to an exciting future.

Other members of the board include Professor Arie Freiberg AM, Ms Robyn Campbell, Mr Will Fowles, Mr Mark Hayes, Mr Andrew Evans, Ms Katherine Sampson, Professor Marilyn Pittard, Professor Ann Monotti, Mr Geoffrey Murray, Ms Janet White and Ms Melinda Maskell.

The Monash Law School Foundation was established in 1990 to support Monash Law School in its aim to provide a unique approach to the development of law graduates – and ultimately the legal profession. The foundation provides a legal and financial structure to channel financial support to the faculty via innovative projects that aim to enhance student access, learning and experience.

Throughout 2012 the Monash Law School Foundation raised funds towards the Lawrie McCredie Student Support Program and the clinical legal education programs.

Interesting alumni with interesting careers

Current law students from the Maddocks High Academic Achievers and Honours Programs met with four notable Monash alumni in a speed-careering exercise. In a series of informal chats, students had the opportunity to talk frankly with alumni about their career progression to date.

Many students commented on how useful the exercise was as it opened their eyes to alternate career options and the panel spoke candidly and passionately about their experiences.

Many thanks to the special alumni guests: Brett Harding, Associate to Justice Emerton, Supreme Court of Victoria, Fiona Prowse, Senior Departmental Liaison, Department of Premier and Cabinet, Natalia Antolak-Saper, Monash PhD Candidate and Natalie Siegel, Director, Pricewaterhouse Coopers.
Since October 2010, historians Peter Yule and Fay Woodhouse have been working on the 50-year history of the Monash University Faculty of Law. As they work on the Faculty’s history, they continue to interview former students and staff.

A rich history of Law Students’ Society publications


The Law Students’ Society was formed in 1964 and their first publication was titled *In Gremio Legis (in the bosom of the law)*. Do you have a copy of the 1964 edition? Did you write for it? Please contact Peter Yule or Fay Woodhouse.


After the demise of the first publication, the second journal produced by the Law Students’ Society began in 1973 and was published until 1995. Edited by Alan Schwartz in 1975–76, he wrote that ‘After a kaleidoscope of changing names and formats’, the Monash Law Students had now established ORACLE as their annual publication. While hoping that some continuity of presentation would be preserved he also hoped that editors of future issues would need no encouragement to preserve ‘a traditional strength common to student publications – extreme variability of editorial viewpoint’.


Were you involved? Were you an editor of or a contributor to ORACLE? What do you recall from those days? We would really like to hear your stories!

**Contact:** Peter Yule peter.yule@monash.edu or Fay Woodhouse fay.woodhouse@monash.edu (03) 9905 3351.
## Postgraduate Law Units: January – June 2013

For full timetable details visit: www.law.monash.edu.au/postgraduate/timetables/

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
<th>Commencing Date</th>
<th>Intensity</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAW7442</td>
<td>Overview of banking law</td>
<td>17 January</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Rhys Bollen</td>
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<tr>
<td>LAW7452</td>
<td>Patent practice</td>
<td>31 January</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Virginia Beniac-Brooks, Rodney Cruise, Roger Green, Mark Summerfield</td>
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<tr>
<td>LAW7212</td>
<td>Australian legal system</td>
<td>27 February</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Azadeh Dastyiyan</td>
<td></td>
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<tr>
<td>LAW7477</td>
<td>Legal Process and professional conduct</td>
<td>27 February</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Azadeh Dastyiyan, Ian Horak &amp; Damian Slysz</td>
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<tr>
<td>LAW7223</td>
<td>Overview of intellectual property</td>
<td>28 February</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Tania Sourdin, Anne Sutherland Kelly</td>
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<tr>
<td>LAW7474</td>
<td>Collaborative practice</td>
<td>28 February</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Tania Sourdin, Cathy Gale</td>
<td></td>
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<tr>
<td>LAW7026</td>
<td>Overview of international human rights law</td>
<td>1 March</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Julie Debeltjak</td>
<td></td>
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<tr>
<td>LAW7479</td>
<td>Domestic and international debt capital markets</td>
<td>4 March</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Rowan Russell</td>
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<tr>
<td>LAW7489</td>
<td>Current issues in copyright</td>
<td>7 March</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Rebecca Giblin</td>
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<tr>
<td>LAW7308</td>
<td>Expert evidence</td>
<td>4 March</td>
<td>Intensive</td>
</tr>
<tr>
<td></td>
<td>Ian Freckten</td>
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<td>LAW7056</td>
<td>Overview of competition law</td>
<td>4 March</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>John Duns, Andrew Monotti</td>
<td></td>
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<tr>
<td>LAW7433</td>
<td>Patenting for commercialisation</td>
<td>5 March</td>
<td>Intensive</td>
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<td></td>
<td>Ann Monotti</td>
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<tr>
<td>LAW7263</td>
<td>Overview of corporate law</td>
<td>6 March</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Scott Wotherspoon</td>
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<tr>
<td>LAW7083</td>
<td>Law of employee relations</td>
<td>6 March</td>
<td>Intensive</td>
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<td></td>
<td>Richard Naughton</td>
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<tr>
<td>LAW7223</td>
<td>Overview of intellectual property</td>
<td>7 March</td>
<td>Intensive</td>
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<tr>
<td>LAW7476</td>
<td>Advanced mediation: Skills and theory B</td>
<td>14 March</td>
<td>Intensive</td>
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<td>Tania Sourdin, Anne Sutherland Kelly</td>
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<tr>
<td>LAW7077</td>
<td>International aspects of intellectual property</td>
<td>14 March</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Mira Sundara Rajan (International visitor)</td>
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<tr>
<td>LAW7313</td>
<td>Regulatory fundamentals: concepts, constructs and context</td>
<td>18 March</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Graeme Hodge</td>
<td></td>
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<tr>
<td>LAW7465</td>
<td>Drafting patent specifications</td>
<td>18 March</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>(International students only)</td>
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<tr>
<td>LAW7311</td>
<td>International human rights law and women</td>
<td>25 March</td>
<td>Intensive</td>
</tr>
<tr>
<td></td>
<td>Tania Penovic</td>
<td></td>
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<tr>
<td>LAW7441</td>
<td>Law of workforce management</td>
<td>12 April</td>
<td>Intensive</td>
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<td></td>
<td>Joanna Betteridge</td>
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<tr>
<td>LAW7492</td>
<td>Health law</td>
<td>16 April</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Anne-Maree Farrell</td>
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<tr>
<td>LAW7488</td>
<td>Human trafficking and the law</td>
<td>18 April</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Susan Kneebone</td>
<td></td>
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<tr>
<td>LAW7009</td>
<td>Commercial tenancy law</td>
<td>22 April</td>
<td>Semi-intensive</td>
</tr>
<tr>
<td></td>
<td>Damien Cremeen</td>
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<tr>
<td>LAW7246</td>
<td>Privacy and surveillance: Law, policy and governance</td>
<td>2 May</td>
<td>Semi-intensive</td>
</tr>
<tr>
<td></td>
<td>Moira Paterson</td>
<td></td>
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<tr>
<td>LAW7303</td>
<td>Advocacy: theory and practice</td>
<td>6 May</td>
<td>Semi-intensive</td>
</tr>
<tr>
<td></td>
<td>George Hampel</td>
<td></td>
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<tr>
<td>LAW7445</td>
<td>Issues in consumer policy</td>
<td>2 May</td>
<td>Semi-intensive</td>
</tr>
<tr>
<td></td>
<td>David Cousins</td>
<td></td>
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<tr>
<td>LAW7213</td>
<td>Law of the internet</td>
<td>6 May</td>
<td>Semi-intensive</td>
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<tr>
<td></td>
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<tr>
<td>LAW7306</td>
<td>Corporate governance and directors’ duties</td>
<td>13 May</td>
<td>Semi-intensive</td>
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<tr>
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<td>Sarah-Jane Christensen</td>
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<tr>
<td>LAW7333</td>
<td>Comparative bills of rights</td>
<td>20 May</td>
<td>Semi-intensive</td>
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<tr>
<td></td>
<td>Angela Ward (International visitor)</td>
<td></td>
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<tr>
<td>LAW7317</td>
<td>Evaluating what works in regulation</td>
<td>23 May</td>
<td>Semi-intensive</td>
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<tr>
<td>LAW7068</td>
<td>International environmental law</td>
<td>3 June</td>
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<td>Geert Van Calster (International visitor)</td>
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<tr>
<td>LAW7286</td>
<td>International criminal justice</td>
<td>6 June</td>
<td>Intensive</td>
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<tr>
<td></td>
<td>Gideon Boas</td>
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</tbody>
</table>

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**Update your contact details**

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**Law Matters**

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If you have an interesting story or something you wish to say, please contact Kate Daley on + 61 3 9905 2630 or email Kate.Daley@monash.edu

Every effort will be made to include contributions however space is limited. Please understand that items may be edited or not included.