About the Castan Centre

Since Michael Kirby AC CMG officially opened the Castan Centre for Human Rights Law in October 2000, our dedicated staff has strived to create a stronger culture of human rights in Australia. We at the Castan Centre believe that human rights must be respected and protected, allowing people to pursue their lives in freedom and with dignity. In our pursuit of a stronger human rights culture for Australia, we work in seven broad areas:

**Public education**, including numerous public lectures, roundtables, conferences and workshops featuring prominent Australian and international human rights figures, and an increasing social media presence.

**Policy**, through submissions to parliaments, direct representations to governments and contributions to public debates on important issues.

**Student programs** aimed at tertiary and secondary students, including internship programs, mooting and essay competitions, and careers seminars.

**Indigenous programs**, especially the Aurora Project's native title capacity building program.

**Teaching**, through the oldest human rights law masters degree in Australia, as well as a thriving undergraduate human rights program.

**Research** leading to the publication of monographs, textbooks, handbooks and practical guides on a variety of human rights issues.

**Human rights training** and consultancies aimed at educating Australian and international government officials about human rights.

*The Castan Centre is unique in that it blends the intellectual rigour of human rights law and brings human rights to life in practical ways. As a place of learning and action, I have had a long and warm association with the Centre.*

- Jose Ramos Horta, President of Timor Leste

*The Castan Centre is a jewel in the crown of Australian law*

- The Hon. Michael Kirby AC CMG, former High Court judge

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About Ron Castan AM QC

Ron Castan was a passionate advocate for the recognition and protection of human rights and a distinguished member of the Victorian Bar. He is best remembered for his role as lead counsel on the landmark Mabo case, which recognised native title over land. Ron toiled on the case for over 10 years and, according to Greg McIntyre, a lawyer who worked with Ron on the matter, he ‘effectively under-wrote the whole claim’.

Prior to the Mabo case, Ron was involved in many landmark Indigenous and Constitutional rights cases, and helped found the the Victorian Aboriginal Legal Service. His commitment to human rights extended beyond Indigenous issues. He was a member of the Victorian Equal Opportunity Commission and President of the Victorian Council for Civil Liberties (now Liberty Victoria). Ron led the campaign against the Australia Card in the 1980s and was a key player in negotiations over the Wik native title legislation in the 1990s. He died in 1999.

“There was a sort of a ruthlessness in Ron Castan. A ruthlessness on behalf of justice.”

Thomas Kenneally AO
Monash University seeks to improve the human condition by advancing knowledge and fostering creativity. It does so through research and education and a commitment to social justice, human rights and a sustainable environment.

- Monash University Statement of Purpose

As a university-based research Centre devoted to creating a stronger culture of human rights, the Castan Centre has long been known for its world-renowned expertise in the field. This expertise can be seen in the Monash Law Faculty's vibrant undergraduate and postgraduate teaching programs and the wealth of monographs, journal articles, handbooks and other publications penned annually by our academics. In addition to this scholarly work, the Castan Centre provides the opportunity for Monash Law academics to expand their reach beyond the academy and out into the community.

In 2011, more than ever before, we focused on expanding our policy work to ensure that we have a vibrant and sustainable public policy program aimed at informing government and the general public on important human rights issues. With this in mind, we created the Accountability Project, and welcomed our first Manager of that Project, Adam Fletcher, who had most recently worked at the Commonwealth Attorney-General’s Department. This increased focus on policy helped us to dramatically increase the Centre’s outputs, particularly in the area of submissions to parliamentary inquiries, which increased from nine in 2010 to 24 in 2011. The Centre also provided advice to the Commonwealth Government in the areas of human trafficking, Indigenous child welfare and human rights in closed environments, and commenced another project to provide advice on the use of alternative sentencing regimes in Australia. Alongside its government work, the Centre’s media work doubled and its social media platforms also experienced considerable growth, thereby increasing the reach of the Centre’s policy work.

Our public education program was once again very busy, including events featuring two UN experts, a world-renowned expert on international criminal law, three Indonesian academics specialising in issues of race and religion, and a campaigner for Western Saharans’ right of self-determination. Once again, most of our events were free and many involved us working closely with fellow organisations in the human rights field, including the Human Rights Law Centre, the Red Cross, Amnesty and GetUp!, as well as Monash University’s Global Terrorism Research Centre and its School of Political and Social Inquiry. In addition, our conference again sold out a month in advance and was a stimulating and thought-provoking day.

Our other vital area of work is student programs, which are very important and are based on giving students access to opportunities to further their interest in human rights. In 2011, a record ten Global Interns were sent to some of the world’s leading human rights organisations, with each receiving generous stipends so as to open the opportunity to as many people as possible. The Centre continued to also offer in-house internships, native title internships, a vibrant state-wide moot competition, the annual secondary schools essay competition, and a careers seminar, this year on international humanitarian law.

On the financial front, the Centre remains well-positioned, however we aim to continue increasing our income from donations and broadening our consultancy work. In 2011, the Centre received 16.5% of its revenue from Monash University, so strong external revenue streams are vital to the Centre’s long-term health. To assist with this task, as well as community engagement and other matters, the Centre resolved to constitute an Advisory Board in 2012. We hope that the Board, which will be constituted of community members from a variety of fields, will further enhance our operations into the future.

In all, 2011 was another successful year for the Centre, and we look forward to further strengthening our policy work and consolidating our other core areas in 2012.
Castan Centre Programs

1. Public Education
Public education is one of the cornerstones of the Castan Centre’s work and we endeavour to reach the widest possible audience. To help us realise this goal, we have ensured that most of our public events are free-of-charge and tickets to our annual conference as cheap as possible. By the end of 2011, the Centre had hosted 130 conferences, public lectures, roundtables and career seminars since its establishment in 2000.

Public Lectures
Our 2011 events featured a broad range of topics and speakers, headlined by two United Nations experts and a legal advisor to a third expert. We also showcased a Western Saharan activist as well as local activists from Amnesty and GetUp!, editors of online and print publications The Drum and Overland, four international academics, and eight local academics, including six from Monash University.

Event topics ranged from asylum seekers, human trafficking and the situation in Libya to social media, foreign debt and international criminal law.

Special thanks goes to Holding Redlich, whose Distinguished Visiting Fellow program supported the visit of Professor William Schabas, and Mallesons Stephen Jaques (now King and Wood Mallesons), which again supported the Annual Lecture.

The 2011 public lectures were:

- Lecture – Dr Cephas Lumina, the UN Independent Expert on the Effects of Foreign Debt and other Related Financial Obligations on Human Rights ‘Preying on the Poor: “Vulture Funds”, Foreign Debt and Human Rights in Developing Countries’, co-hosted with Human Rights Law Centre, 10 February 2011

- Lecture – Vanessa Zimmerman, Legal Advisor to Professor John Ruggie the UN Secretary-General’s Special Representative on Business and Human Rights, ‘Business and Human Rights at Home and Abroad: an Update on the Work of the UN Secretary-General’s Special Representative on Business and Human Rights’, 1 April 2011

- Panel forum – ‘Will the Revolution be Tweeted? The Role of Social Media in Promoting and Protecting Human Rights’, co-hosted with Human Rights Law Centre, 5 April 2011. Panelists:
  - Professor Sarah Joseph, Director of the Castan Centre for Human Rights Law
  - Sam McLean, Communications and Campaigns Director, GetUp!
  - Jonathan Green, Editor of the Drum, ABC
  - Alex Pagliaro, Refugee Campaign Coordinator, Amnesty International Australia

- Panel forum – ‘Perspectives on the International Intervention in Libya’, 20 April 2011. Panelists:
  - Professor Donald R Rothwell, Professor of International Law at the ANU College of Law
  - Associate Professor Gideon Boas, Associate Professor at Monash University Law School
  - Jeff Sparrow, Writer and Research Fellow at Victoria University


- Lecture – Professor William A. Schabas, Director Irish Centre for Human Rights and Chair in Human Rights Law, National University of Ireland, Galway (a Holding Redlich Distinguished Visiting Fellow), “Victor’s Justice: Selecting the Targets of International Tribunals”, 1 June 2011


- Panel forum – ‘Religion and Society in Indonesia after the Cikeusik Murders’, co-hosted with Monash School of Political and Social Inquiry, 29 August 2011. Panelists:
  - Professor Dr Dadang Khairmad, Muhammadiyah Central Executive; Director of Post-Graduate Studies, Islamic State University, Bandung; former West Java chair of Inter-Religious Harmony Forum (FKUB)
  - Professor Dr Asep Saepul Muhtadi, Professor and former dean in the Faculty of Predication (dakwah) and Communications, Islamic State University, Bandung; Adviser to West Java Provincial Government on social inclusion
  - Mr Hendar Riyadi, Lecturer, State Islamic University, Bandung; Member of Muhammadiyah Young Intellectuals Network (JIMM); Member of inter-faith harmony network (JAKATARUB)

  - Professor Susan Kneebone, Professor at Monash University Law School
  - Ms Maria O’Sullivan, Lecturer at Monash University Law School and Associate of the Castan Centre for Human Rights Law
  - Professor James Walter, Professor Political Science in the School of Political and Social Inquiry

  - James Stellios, Associate Professor at the ANU College of Law
  - Dr Julie Debeljek, Deputy Director of the Castan Centre

- Castan Centre/Mallesons Stephen Jaques Annual lecture – Ms Joy Ezeilo, United Nations Special Rapporteur on trafficking in persons, especially in women and children, ‘Are States meeting their responsibilities to trafficked persons?’; 28 November 2011

- Lecture – Dr Benjamin MacQueen, Deputy Director of the Global Terrorism Research Centre at Monash University.
Conference

Our annual conference remains the only annual human rights conference in Australia, and is a vital fixture on the Australian human rights calendar. Again in 2011, the conference sold out more than a month in advance and feedback from the 220 attendees was overwhelmingly positive.

Speakers at the conference, which was held at the Spring Street Conference Centre, were:

- Mr Michael Thurston, The United States Consul General in Melbourne, ‘Corporate Social Responsibility and the Right to Connect (to websites, to the internet and to each other)’
- Dr Megan Davis, Director of the Indigenous Law Centre at the University of New South Wales and member of the United Nations Permanent Forum on Indigenous Issues, ‘Recognising Aboriginal and Torres Strait Islander People in the Constitution’
- Mr Rex Wild QC, Barrister and co-author of the Little Children are Sacred report into child abuse in the Northern Territory, ‘Intervention, Interference or Invasion? Dealing with Indigenous rights in the Northern Territory, 2007-2011’
- Professor Tim McCormack, Professor of Law at the Melbourne Law School and the Special Adviser on International Humanitarian Law to the prosecutor of the International Criminal Court in The Hague, ‘The International Criminal Court and the Importance of Effective Multilateral Enforcement of International Humanitarian Law’
- Brigadier Lyn McDade, Director of Military Prosecutions for the Australian Defence Force, ‘Military justice and human rights’
- Professor Samina Yasmeen, Director of the Centre for Muslim States and Societies at the University of Western Australia, ‘Islamophobia and Multicultural Australia’
- Dr Alex Wodak AM, President of Australian Drug Law Reform Foundation and Director of the Alcohol and Drug Service at St Vincent’s Hospital in Sydney, ‘A Human Rights Approach to Drugs’
- Dr Charlie Corke, Senior Specialist in the Intensive Care Unit at Geelong Hospital, author of the book Saving Lives and subject of the recent documentary In the End, ‘Avoiding dysthanasia - not striving for euthanasia’

Special thanks goes to the Conference sponsors – Corrs Chambers Westgarth (Major Sponsor), Holding Redlich (Conference Bag Sponsor), List G Barristers (Lunch Sponsor), Victoria Legal Aid, Victorian Equal Opportunity and Human Rights Commission (Sponsors) and the Alan Missen Foundation, Australian Lawyers Alliance, Futureye, Law Institute of Victoria, and Minter Ellison Lawyers (Supporters).
2. Student Programs

As a university-based human rights centre, nurturing students’ passion for human rights is a vital part of what we do. The Centre was founded by academics who have devoted their careers to teaching human rights law, and from the outset the Centre has sought to increase engagement with students beyond the classroom.

Global Internship Program

The 2011 Global Internship Program saw ten high-achieving Monash Law students selected to intern at nine organisations spread across North America, Africa, Asia, the Middle East and Europe.

Interns receive a stipend to cover living costs, insurance and airfares which offset the vast majority of interns’ costs, thereby making the program available to a wide set of students. Interns also take part in a cross-cultural training course prior to departure and then blog about their experiences while on assignment (see the social media report in the policy section, below).

The 2011 Global Interns were:

- Sayomi Ariyawansa: Human Rights First, New York City
- Cara Bredebusch: Oxfam, South Africa
- Hester Kelly: Human Rights Advocacy Centre, Accra Ghana
- Alexandra Lachal: United Nations Special Rapporteur on the Right to Health, Mumbai India
- Vanessa Lamborn: Oxfam, South Africa
- Yardena Lankri: Israel Democracy Institute, Jerusalem Israel
- Anne Poulos: International Commission of Jurists, Geneva Switzerland
- Alyse Richmond: United Nations Global Compact, New York City
- Melody Stanford: Africa and Middle East Refugee Assistance, Cairo Egypt
- Sarah-Mae Thomas: International Women’s Rights Action Watch - Asia Pacific, Kuala Lumpur and Geneva

We acknowledge the support of the 2011 Global Internship supporters: Daniel and Danielle Besen, the Law Faculty’s Student Mobility Fund, the Office of the Deputy Vice Chancellor (Education), the Nordia Foundation, the Dara Foundation, the Finkel Foundation and Silvia and Michael Kantor. Special thanks goes to Maria Dimopoulos of MyriaD Consulting, who conducted the pre-departure cross-cultural training.
**In-house Internship Program**
The Centre strives to give as many students as possible an experience of working in human rights policy and research through our In-House Internship Program. In 2011, interns from Monash University mixed with interns who travelled to us from Queensland and the United States. Some of the many projects they worked on included research for submissions to Parliamentary committees, drafting articles for the bi-annual newsletter, preparing headnotes for the Oxford Reports in International Law project, reviewing entries to the Writing for Human Rights Essay Competition and assisting at Centre events.

Our 2011 In-House Interns were:
- Summer interns: January – Lisa Harrison
- Semester 1 (1 day per week for 12 weeks): Laura John and Cara Bredelbush
- Semester 1 (3 days): Florence Dosshe
- Winter externship: (full time between May and August) - Brandon Wright
- Winter internship: Kelly Hester and Deborah Lemish
- Semester 2 (2011): Rachana Rajan and Angie Glikson
- Summer internship (November – December): Kehela Vandenberg and Rachel Loftus
- International intern (full-time December 2011 – February 2012) Kathy Tu

**Native Title Internships**
As part of its collaboration with the Aurora Project, the Castan Centre supports the Aurora Native Title Internships, which send university students from all over Australia to native title representative bodies, Indigenous policy bodies and other organisations focusing on Indigenous rights.

The 2011 interns from Monash University were Claire Deane, Helen Schneider, Shireen Morris and David Taft (Summer 2010/11 intake) and Emilie Boulot, Yardena Lankri, James Oczko, Melissa Ramov, Tai Shmerling and Jessamy Vialle (Winter 2011 intake).

**Human Rights Moot Competition**
Ten teams from Victorian universities competed in the 5th annual Victorian Charter of Human Rights and Responsibilities Mooting Competition. The preliminary rounds were held at the Melbourne offices of Clayton Utz. Both the winners and runner up of the competition were from the University of Melbourne. The final was held at the Victorian Court of Appeal before her honour, Justice Neave AO of the Court of Appeal, Judge Felicity Hampel SC of the County Court and Professor Spencer Zifcak, Allan Myers Chair of Law at Australian Catholic University.

We acknowledge our moot sponsor, Clayton Utz, which has generously supported the competition since its inception in 2007.

*Dr Paula Gerber, the Honourable Judge Felicity Hampel, her Honour Justice Marcia Neave and Professor Zifcak*
Human Rights Careers Series
The passion of many Monash Law students for an alternative career in law can best be seen at our annual human rights careers events. In 2011, the Centre co-hosted a careers seminar with Friends of International Humanitarian Law (of the Red Cross), which focused on internships in the field of international criminal law. The seminar featured students who undertook internships at international criminal tribunals and studied at international universities. Presentations included their personal stories plus advice and tips for those in the audience.

Human Rights Essay Competition
We believe in nurturing students’ interest in human rights even before they get to University. For this reason, the Centre runs an annual essay writing competition. The 2011 Writing for Human Rights Essay Competition was open to Victorian school students in years 10-12, and the topic was ‘Social media is free speech gone mad’. Each year, the Centre endeavours to choose an engaging and topical issue, and the 2011 topic obviously fulfilled this criteria: 79 essays were received. The prizes for the 2011 Essay Competition were donated by the Office of Deputy Vice Chancellor (Education) at Monash University. The winners were:

• First prize: Daniel Lopez, Emmanuel College
• Second prize: Cynthia Huang, MacRobertson Girl's High School
• Third prize: Karan Dhamija, Melbourne High School
3. Policy
One major focus of the Centre is to utilise research to inform public policy debates on vital human rights issues. With the advent of the Accountability Project in 2011, the Centre began a planned expansion of its policy work, which aims to “unlock” the Centre’s world-class human rights expertise to influence public debate and government policy. In 2011, Centre staff provided impartial and independent views on important human rights issues to government, spoke regularly in the media on topical matters and greatly increased the Centre’s social media presence.

Submissions to Parliamentary Committees
One of the most important ways in which the Centre informs policy debate is through its engagement with federal, state and territory parliamentary committees. The Centre has a long history of influencing parliamentary debate and securing amendments to legislation and policy through its submissions. The Centre’s submission increased from eight in 2010 to 22 in 2011. The Centre’s submissions in 2011 were:

- Castan Centre Submission to the Attorney General’s Department on a new National Human Rights Action Plan for Australia, February 2011 (M. Smith, E. Contini and P. Gerber)
- M. Castan, Submission to the Panel on Indigenous Constitutional Recognition, September 2011
- P. Emerton, Submission to the Senate Legal Constitutional Affairs Committee regarding the Inquiry into the Intelligence Services Legislation Amendment Bill 2011, May 2011
- P. Emerton, Submission to the Senate Legal and Constitutional Affairs Committee regarding the Inquiry into the Inspector-General of Intelligence and Security Amendment Bill 2011, June 2011
- P. Emerton, Supplementary Submission to the Senate Legal Constitutional Affairs Committee regarding the Inquiry into the Intelligence Services Legislation Amendment Bill 2011, June 2011
- P. Gerber, Shadow Report to the UN Committee on the Rights the Child Regarding Australia’s compliance with Article 7 of the Convention on the Rights of the Child, 22 June 2011
- S. Josaph (with A. McBeth), Submission to the Office of the High Commissioner for Human Rights on The Draft Guiding Principles on Business and Human Rights, January 2011
- S. Joseph, Submission to the Attorney-General’s Department on Australia’s response to the recommendations received in its Universal Periodic Review, March 2011
- S. Joseph (with A. Dastyari), Submission to Commonwealth Parliament on the Amendments to the Character Test, May 2011
- S. Joseph (with E. Contini and M. Smith), Submission to the SARC Committee on the Review of the Victorian Charter of Rights and Responsibilities 2006 (Vic), June 2011
- S. Joseph, Submission to the Independent Media Inquiry, November 2011
- S. Kneebone (with M. O’Sullivan and T. Penovic), Submission to inquiry into the agreement between Australia and Malaysia on the transfer of asylum seekers to Malaysia, 15 September 2011
- T. Penovic, Submission to House of Representatives Standing Committee on Social Policy and Legal Affairs into the Regulation of Billboard and Outdoor Advertising, February 2011
- T. Penovic, Submission to Senate Legal and Constitutional Affairs Legislation Committee into the Migration Amendment (Detention Reform and Procedural Fairness) Bill 2010, June 2011
- T. Penovic, Submission to the Joint Select Committee on Australia’s Immigration Detention Network, 12 August 2011

Media
By engaging with the media, the Centre reaches a wider audience and can influence and inform public debate on human rights issues. A goal of the new Accountability Project is to increase engagement with the public through the media. The result has been pleasing, as media engagement increased from 18 mentions in 2010 to 42 in 2011. Media engagement in 2011 included:

- M. Castan, ‘It’s time to recognise Indigenous Australia’, The Conversation, 12 December 2011
- M. Castan, Interview on ABC 7pm news on Aboriginal Community in Lake Tyres return of democracy, 18 March 2011
- A. Fletcher, ‘Undermining the migration act’, opinion piece The Drum, 13 October 2011
- P. Gerber, ‘Denying gay marriage will only hurt the children’ Opinion piece, The Age, page 15, 7 September 2011
- S. Gray, Radio Interview on Radio 8HA Territory Today (Adrian Renzi) on ‘The Protectors’, 5 May 2011
- S. Gray, Radio Interview with Radio Tasmania (John Fabris) on ‘the Protectors’, 10 May 2011
- S. Gray, Interview with Radio Australia on ‘the Protectors’, 12 May 2011
- S. Gray, interview with Rafael Epstein and Leslie Cannold, ABC Radio Victoria (Jon Faine’s Conversation Hour) on ‘The Protectors’. 11 July 2011
- S. Gray, interview with CAAMA radio on ‘The Protectors’. 9 August 2011
- S. Joseph, ‘If no news is good news what do we make of 2011?’, opinion piece, The Punch, 3 September 2011
- S. Joseph, Interview on social media and human rights, Radio Adelaide, 21 September 2011
- S. Joseph, “#Occupy movement: different aims, but united by the importance of civil protest”, The Conversation, 27 October 2011
- S. Joseph, Radio 3CR, interview on Occupy Melbourne, 28 October 2011
- S. Joseph, Radio Australia, interview on the Occupy movement, 3 November 2011
- J Kyriakakis, ‘Why Australian Firms Should be Made Accountable for Overseas Crimes’, The Conversation, 15 April 2011
- J. Kyriakakis, ‘Secrecy Charges Will Finally Test Our Unused Bribery Laws’, The Conversation, 7 July 2011
- J Kyriakakis, ‘Why Australian Firms Should be Made Accountable for Overseas Crimes’, The Conversation, 15 April 2011
- B. Naylor, ‘Comment on Defensive Homicide’ Radio National PM, 4 March 2011
- M. O’Sullivan, Radio Interview on High Court appeal against the Australian ‘Malaysian Solution’, Law Matters program, 2UE Sydney, 19 June 2011
- M. O’Sullivan, ‘High Court ruling: the end for the Malaysian Solution’, The Conversation, 8 August 2011
- M. O’Sullivan, Radio interview, High Court challenge to Malaysian solution, Canberra 2CC, 9 August 2011
- M. O’Sullivan, Radio Interview, Ministerial Guardianship duty and the Malaysian solution, ABC Radio Australia, 23 August 2011
- M. O’Sullivan, ‘The rule of law prevails’, The Age, 1 September 2011
- M. O’Sullivan, Radio Interviews on the High Court decision M70 on the Malaysian solution:
  - ABC 774 Melbourne, The Breakfast Show, 1 September 2011
  - ABC 702 Sydney, The Breakfast Show, 1 September 2011
  - ABC NewsRadio, Drive with Sandy Aloisi, 2 September 2011
  - 3CR 855 AM Community Radio, 6 September 2011
  - ABC Radio Australia, 19 October 2011
- T. Penovic, Participant in panel discussion on ABC News 24’s Afternoon Live program on Report of the House of Representatives Standing Committee on Social Policy and Legal Affairs into the Regulation of Billboard and Outdoor Advertising, 26 July 2011
- A. Sifris, Interviews regarding ‘AA v BB birth certificate case’ on Sarah Gerathy ABC PM Program, Natasha Wallace Sydney Morning Herald, Carl Herr ABC News Sydney and David Cooper 702 Sydney, 17 August 2011
**Social Media**

As increasing numbers of people have turned to social media for news and views on myriad issues, the Centre has increasingly used social media tools to engage with the general public on human rights. The Centre is committed to using some of the most popular platforms to further its goal of increasing public education in the area of human rights. For this reason, the Centre currently operates the following:

- A Twitter page (twitter.com/castancentre), which is a trusted source of the latest news and opinion on human rights issues. The Centre tweets an average of 29 links to human rights news, views and reports each day.
- A Facebook page (facebook.com/thecastancentre), which predominantly publicises the Centre's latest goings-on, including upcoming events, blog posts and media stories, policy papers and parliamentary submissions.
- A YouTube channel, which hosts videos of many of our public events, plus shorter interviews conducted with human rights experts.
- Two blog sites: the main site (castancentre.com) carries opinion pieces by Centre academics on various issues while the secondary site (castanglobalinterns.wordpress.com) carries reports posted by the Centre's Global Interns when they are overseas on assignment.

We believe that social media is a vital tool for creating a stronger human rights culture by engaging with our existing supporters and reaching new audiences. Our plan is to strongly expand our social media presence in the coming years.

Relevant year-end statistics for social media (with 2010 figures in brackets) were:

- 2315 followers on Twitter (715).
- 988 followers on Facebook (612).
- 17,003 hits on its main blog site for the year (3297).
- 4378 hits on its Global Interns blog site for the year (1862).

The Centre did not have statistics for its YouTube page (youtube.com/castancentre) by the end of 2011.

Centre staff produced the following posts for the main blog site in 2011:

- M. Castan, ‘It’s time to recognise Indigenous Australia’, 9 December 2011
- A. Fletcher, ‘Trial by media takes on a whole new meaning in Victoria’, 4 August 2011
- A. Fletcher, ‘Do we need better privacy protection in Australia?’, 31 October 2011
- A. Fletcher, ‘Retrospective People Smuggling Bill: a Breach of our Constitution?’, 9 November 2011
- A. Fletcher, ‘Can the Australian Government Return Unsuccessful Asylum-seekers to Afghanistan?’, 15 November 2011
- P. Gerber, ‘Denying gay marriage only hurts the children’, Castan Centre for Human Rights Law Blog, 7 September 2011
- S. Joseph, ‘Tweeting human rights and two Revolutions (so far)’, 12 February 2011
- S. Joseph, ‘Chris Mitchell should put up rather than shut up’, 3 March 2011
- S. Joseph, ‘Mr Rudd is wrong on arbitrary detention’, 26 May 2011
- S. Joseph, ‘SARC wants to keep Victorian Charter – so long as it’s not a Charter anymore’, 19 September 2011
- S. Joseph, ‘Troy Davis, the death penalty, and international human rights law’, 28 September 2011
4. Research

Much of the work produced by the Castan Centre is underpinned by its outstanding research capabilities. The Centre’s Director, five Deputy Directors and seven Associates produce research leading to books, journal articles, conference papers, submissions to parliamentary inquiries, policy papers and opinion pieces.

Publications by Centre staff in 2011 were:

**Books and Edited Collections**

**Book Chapters**

**Journal Articles**
Grants Awarded

G. Boas, Monash Research Accelerator Programme Grant entitled ‘Dealing with war criminals within Australia’, ($110,000), 2011-2012

J. Debeljak, Law Faculty Publication Subsidy Scheme in 2011 ($1,120.20), to assist with the publication of Susan Kneebone and Julie Debeljak, Transnational Crime and Human Rights: Responses to Human Trafficking in the Greater Mekong Subregion (Routledge, 2012, forthcoming).

P. Emerton, recipient of Monash Research Accelerator Programme Grant for project titled ‘Understanding collective political agency: a non-liberal account of national self-determination’ ($90,000), 2011-2012

P. Gerber, Recipient of Monash Research Accelerator Programme Grant, ($110,000), 2011-2012

Ongoing Grants


G. Boas, ‘International Criminal Justice: Law, Policy and its Relevance to Australia’s security’ ($176,000), ARC Discovery Grant, 2010-ongoing

G. Boas, Sole Chief Investigator on ARC Discovery Project Grant: ‘International Criminal Justice: Law, Policy and its Relevance to Australia’s security’ ($176,000), 2010-2012

J. Debeljak, ARC Linkage Grant, entitled Applying Human Rights Legislation In Closed Environments: A Strategic Framework For Managing Compliance, with fellow Chief Investigators Dr Bronwyn Naylor, Prof Arie Freiberg, Dr Inez Dussuyer, and Dr Stuart Thomas and six collaborating organisations: Commonwealth Ombudsman, Ombudsman Victoria, Victorian Equal Opportunity and Human Rights Commission, Office of the Public Advocate, Office of the Inspector of Custodial Services (WA), Office of Police Integrity, $587,803, consisting of $323,803 cash ($188,803 cash from the ARC and $135,000 cash from the Collaborating Organisations) and $264,000 in-kind, which runs from 2009 to 2012

P. Emerton, (with J. Goldsworthy and D. Smith), A Principled Theory of Legal Interpretation’, ARC Discovery Grant, $216,000, 2010-2012

S. Gray, Publication subsidy grant of $2,000 received from Monash Law Faculty Research Grants Committee for publication of ‘Brass Disks, Dog Tags and Finger Scanners’ (Charles Darwin University Press, 2011).

S. Kneebone, ARC Linkage Grant, entitled Law, Governance and Regulation of the Intra-regional Labour Migration in South East Asia: An Agenda for Protection and Development ($170,000), which runs from 2009-2011

S. Kneebone, “Law, Governance and Regulation of the Intra-regional Labour Migration in South East Asia: An Agenda for Protection and Development”, ARC Linkage Grant ($170,000), 2009-ongoing

S. Kneebone, “Delivering Effective Protection to Victims and Prevention of Human Trafficking in the Greater Mekong Sub-Region”, ARC Linkage Grant, ($150,000), 2009-ongoing

S. Kneebone, ARC Linkage Grant, entitled Delivering Effective Protection to Victims and Prevention of Human Trafficking in the Greater Mekong Sub-Region ($150,000) which runs from 2009-2012

Research Consultancies

S. Joseph, Oxford University Press, Oxford Reports in International Law, headnotes and commentary for all decisions of UN Human Rights treaty monitoring bodies, $100,000+, ongoing

S. Joseph and A. Fletcher, Research into rates of imprisonment, focusing on vulnerable groups including Indigenous Australians, youth and those with a cognitive disability, and current analysis of utilisation of alternative sentencing options, Attorney-General’s Grants to Australian Organisations Program ($13,324)

S. Joseph, Oxford University Press, Oxford Reports in International Law, headnotes and commentary for all decisions of UN Human Rights treaty monitoring bodies, $100,000+, ongoing

Conference Papers and Public Talks

M. Castan and D. Yarrow, Is Australia a mixed legal system? The clash of interpretive positivism and Indigenous tradition in Australian property law”, Third International Congress of World Society of Mixed Jurisdiction Jurists, 22 June 2011
• J. Debeljak, "Momcilovic v R: The High Court's Views on the Constitutionality and Operation of the Victorian Charter", Castan Centre for Human Rights Law Public Lecture Series, Melbourne, 10 October 2011
• S. Gray, "Northern Territory Intervention", Progressive Law Network first annual conference, Monash University Law Chambers, 19 March 2011
• S. Gray, Author talks on The Protectors at The Paperchain bookshop, Manuka, Canberra (5 July 2011); at Gleeboks, Glebe, Sydney (6 July 2011).
• S. Gray, Northern Territory Anti-Discrimination Commission and Northern Territory Committee for Human Rights Education, ‘The Apology and Good Intentions: what was White Australia really apologising for?’, Charles Darwin University, 8 August 2011
• S. Gray, Northern Territory Library, “Why have a debate about the past?”, 11 August 2011
• S. Joseph, ‘Keeping your private’s private: Social media, workplace surveillance and you’, LV Young Lawyers’ Law Reform Committee, 8 September 2011
• S. Joseph, 'Human rights and the media in the 21st century', Adelaide Festival of Ideas, 9 October 2011
• M. O’Sullivan, ‘Protection against Refoulement: The Notion of “Acquired Rights” under the Refugee Convention’, delivered at the workshop ‘Refugees and The Refugee Convention 60 Years On: Protection and Identity’, 2-3 May 2011, Monash University, Prato, Italy

5. Human Rights Training Consultancies
The Centre conducts short courses and training programs, predominantly for Australian and international government officials. In 2011 it conducted the following program:
‘The International Criminal Court’, VCE High School Teacher training conducted at Social Education Victoria, Melbourne, 16 September 2011 (J. Kyriakakis)

6. Teaching and Supervision
Monash University operates the longest-running Masters course in Australia devoted to human rights law, in addition to its rich offerings in the area at the undergraduate level. Since the establishment of the Castan Centre in 2000, student interest in human rights has markedly increased. At the same time, the number of human rights academics employed in the Monash Law Faculty has continued to grow, allowing the Faculty to increase the range of units on offer.

In 2011 the following units were offered.

Postgraduate Units
• Comparative Bills of Rights, A. Ward
• Forced Migration and Human Rights, S. Kneebone
• Genocide in international law, W. Schabas
• Health Law and Human Rights, I. Freckleton
• International covenant on civil and political rights, S. Joseph
• International Criminal Justice, G. Boas
• International human rights law and development, R. Atuguba
• International Humanitarian Law, G. Boas
• International Human Rights Law and Women, K. Eastman
• Overview of international human rights law, (offered twice each year), J. Debeljak and K. Eastman
• Protecting the Rights of Minorities, Marginalised and Vulnerable People, P. Gerber
• Terrorism and Human Rights, S. Joseph

Undergraduate
• Advance Professional Practice (Human Rights), A. Evans (Semester 1) and R. Hyams (Semester 2)
• Human Rights in Australian Law, T. Penovic
• Indigenous Peoples and the Law, S. Gray
• International Criminal Law, J. Kyriakakis
• International Human Rights Law, A. McBeth
• International Refugee Law and Practice, M. O’Sullivan
• International criminal law, J. Kyriakakis
• International human rights, H. Askola (Prato program)
• International laws of armed conflict, G. Boas
• Law and discrimination, C. Campbell
• Law, Gender and Feminism, F. Hum
• Law and Social Theory, P. Emerton
PhD, SJD and LLM Major Thesis Completions

In addition to formal teaching, Centre academics supervise postgraduate students undertaking their degree by research. Students may undertake a LLM by research instead of coursework. At the doctoral level, candidates have two options: the SJD, for which students must complete four postgraduate subjects and write a 50,000 word thesis, and the PhD, for which students must complete a 100,000 word thesis.

Research students generally develop outstanding levels of knowledge in their chosen field and often progress to academia, or work in fields related to their study. For these reasons, we consider nurturing research students to be a vital contribution to human rights scholarship and practice. Candidates for the various research degrees in 2011 were:

**PhD**
- Olivia Ball, All the way to the UN: Is petitioning a UN human rights treaty-body worthwhile? (P. Gerber)
- Azadeh Dastyari, Out of Sight, Out of Right? : Extraterritorial processing of Refugees by the United States on the Caribbean Sea (A. McBeth with P. Emerton and S. Kneebone)
- Sina Etezazian, Ambiguities regarding the prerequisites for the exercise of self-defence (G. Boas)
- Ekram Haque, Protection of economic, social and cultural rights: a critical analysis of the fundamental principles of state policy in the Constitution of Bangladesh (S. Joseph) (awarded degree 2011)
- Phuong Thi Tue Hoang, ‘Trafficking in and from Vietnam’ (S. Kneebone)
- Bryan Keon Cohen (staff PhD), The Mabo Litigation (M. Castan) (awarded degree 2011)
- Brendan Loizou, Determining Native Title (M. Castan)
- Anita MacKay, A Human Rights Perspective on Detention in Australia – Current Deficiencies and Ways Forward (J. Debeljak with B. Naylor)
- Fiona McKay, An Investigation of the Influences of Attitudes and Opinions towards Asylum Seekers and Refugees in Australia (S. Thomas and S. Kneebone)
- Marika McAdam, Strengthening the human right of freedom of religion and belief by protecting freedom from religion (S. Joseph)
- Reyvi Marinas, Filipino Migrant Activism in Australia examined through the lens of Hannah Arendt (S. Kneebone and M. Janover)
- Engi Messiah, Rule Against Double Jeopardy in Criminal Law (J. Kyriakakis, ongoing; Associate Supervisor, Main supervisor – B. Naylor)
- Katie O’Bryan, Indigenous Rights to Participate in the Management of Inland Water Resources (M. Castan)
- Maria O’Sullivan, The Use of the Cessation Clause under Art1C(5) of the Refugees Convention (S. Kneebone)
- Ronli Sifris, Conceptualising Restrictions on Abortion and Involuntary Sterilisation Procedures as Torture or Cruel, Inhuman or Degrading Treatment (S. Joseph, associate supervisor, Main supervisor – B. McSherry) (awarded degree 2011)
- Natalie Stroud, The Koori Court of Victoria: An answer to cultural and language disadvantage for indigenous offenders in the criminal justice system? (M. Castan)
- Sue Teppendon, Neo-liberalist doctrine of individual rights (P. Emerton)

**SJD**
- Caroline Aebersold, Investment Law and Human Rights Law (S. Joseph)
- Mark Gumbleton, Complicity in crime (S. Gray)
- Melbca Kapasa, Mining Corporations and Human Rights (S. Joseph and A. McBeth)
- Elizabeth King, From Milosevic to Guantanamo Bay, an examination of the construction of the due process norm in the enforcement of International Humanitarian Law (G. Boas)
- Mark Morley, Religious Minorities in Pakistan (S. Joseph)
- Athena Nguyen, United States Peacekeepers and Sexual Exploitation (S. Kneebone and S. Joseph)
- Robin Smith, The paradox of legal responsibility: the application of corporate criminal liability to the state (G. Boas)
- Aderajew Teshome, Ethiopia’s Response to Human Trafficking: Towards Effective Criminalisation and Protection (S. Kneebone)

**Honours**
- Sayomi Ariyawansa, Almost Anywhere but Here: Australia, Offshore Processing and “Safe Third Countries” (S. Kneebone)
- David Carolan, Sentencing in international criminal law (A. McBeth)
- Joseph Charles, Do Corporations have human rights (S. Joseph)
- Helen Fabyini, Evaluating Indigenous Welfare Reforms in the Northern Territory and Queensland (M. Castan)
- Sushendra Fernando, The National Security Exception to Freedom of Expression (A. McBeth)
- Chris Holt, Sexual Orientation and International Law: Is Being Queer a Universal Human Right (J. Debeljak)
- Sarah Lenthall, Ensuring Fair Play by Transnational Corporations: The Extractive Industry, the Resource Curse and the Right to Development in Developing Countries (J. Kyriakakis)
- Kim Northwood, Jurisdiction over terrorist crimes: Examining the case for a rule of permissive universal jurisdiction in customary international law to try certain crimes of terrorism (J. Kyriakakis co-supervisor with G. Boas)
7. Indigenous Programs

Since 2004, the Castan Centre has been involved with the Aurora Project. Initially established to implement the recommendations of Castan Centre Deputy Director Melissa Castan and Mr Richard Potok regarding capacity building at Native Title Representative Bodies, the Project has since expanded significantly.

In addition to the capacity building work, the project, which is operated in conjunction with Aurora Projects and Programs, includes other features such as assistance with recruitment, the operation of a large-scale internship program and a handbook on postgraduate scholarship opportunities for Indigenous students. The project is funded predominantly by the Commonwealth government.

The program has had great success in boosting the capability of the NTRBs and other indigenous bodies through ongoing professional development training and other assistance. The program has had outstanding results since its inception through to the summer 2011/12 round, having arranged 947 legal, anthropology and other social science placements at 75 host organisations (including NTRBs and organisations working in land rights, social justice and human rights) - all with an Indigenous focus. Eighty one of the placements so far have been undertaken by Monash University students and graduates. Research shows that twenty percent of these interns end up working in full-time, part-time or contract positions in Indigenous Affairs after completing their degrees.

The Indigenous Students’ Guide to postgraduate scholarships in Australia and overseas, and a similar undergraduate guide, list opportunities in a wide range of disciplines, including architecture, the arts, business, education, engineering, government, health, humanities, information technology and law.

Our People

The Castan Centre sits within the Law Faculty at Monash University. The Centre is governed by the Director and five Deputy Directors, who are all senior Faculty members with teaching and research expertise in human rights. Centre Associates are Faculty members who are recognised for their role in assisting the Centre. Day to day operations are carried out by the Director and the administrative staff.

Doctor

Prof. Sarah Joseph Director

Deputy Directors

Ms Melissa Castan (OSP first semester)
Dr Julie Debeljak (Acting Director from 27 June to 17 July)
Dr Paula Gerber (Acting Director from 6 to 26 June)
Dr Adam McBeth (OSP first semester)
Ms Tania Penovic (Newly appointed from May, OSP first semester)

Associates (Faculty staff)

Dr Heli Askola
Dr Gideon Boas
Ms Azadeh Dastyari
Dr Patrick Emerton
Dr Stephen Gray
Dr Joanna Kyriakakis
Ms Maria O’Sullivan (Newly appointed from August)
Ms Ronli Sifris (Newly appointed from August)

Associates (external)

Dr David Yarrow
Chris Sidoti

Awards

P. Gerber, Australian Learning and Teaching Council Citation for Outstanding Contribution to Student Learning, 2011
P. Gerber, Monash University Law Faculty Award for Excellence in Research by an Early Career Researcher, 2011
P. Gerber, Inducted into the Victorian Honour Roll of Women, 2011
M. Smith, Monash University Vice-Chancellor’s Award for Exceptional Performance by Professional Staff, 2011

Administrative Staff

Marius Smith – Manager
Erica Contini – Project Officer (January – August)
Adam Fletcher – Manager, Accountability Project (Newly appointed from August)
Andre Dao – Project Officer (September to December)
Janice Hugo – Administrator
**Patron-in-Chief**
Her Excellency Ms Quentin Bryce AC, Governor-General of the Commonwealth of Australia

**Patron**
The Hon Michael Kirby AC CMG

**Academic Advisory Board**
Professor Philip Alston, New York University School of Law
Patrick Dodson, Liniari Foundation Inc
Elizabeth Evatt, former member, UN Human Rights Committee; Chair of Board for Public Interest Advocacy Centre, Sydney
Professor Claudio Grossman, Chair, UN Committee against Torture (also Dean, Washington College of Law, American University)

The Hon Judge Felicity Hampel, County Court of Victoria
Professor Christof Heyns, UN Special Rapporteur on extrajudicial, summary or arbitrary executions, University of Pretoria, South Africa
Professor Ivan Shearer, former member, UN Human Rights Committee; Emeritus Professor, University of Sydney

Judge Christie Weeramantry, retired, International Court of Justice, founder, Weeramantry International Centre for Peace, Education and Research, Sri Lanka

**Members**
2906 as at 31 December 2011.

**Funding**
The Centre received its funding from the following sources in 2011:

- Consultancies and research: 45%
- Monash University 17%
- Sponsorship and events: 14%
- Foundations 12%
- Individuals 12%

Twenty six percent of total funding is derived from one consultancy project – The Aurora Project – which is due to complete in 2012. The Centre must replace this income and plans to do so through a combination of new consulting work, increased donations and sponsorship and income from fundraising events.

**Our Supporters**

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