



MONASH
University

**MONASH
LAW**

**HIGHER
DEGREES
BY
RESEARCH**

monash.edu/law



**GROUP
OF EIGHT
AUSTRALIA**

As part of the **Group of Eight** research-intensive universities in Australia, **Monash Law School** has a **vibrant research culture**. Monash academic staff and students undertake **diverse and innovative research** that attracts funds from a variety of sources and is published in scholarly books, journals and submissions to government and law reform agencies.



Tamara Wilkinson

I graduated from my Monash Arts/Law (Hons) degree in 2012, and completed my graduate Diploma of Legal Practice. I returned to Monash in 2013 to work as a research assistant on an ARC Discovery Grant. As part of my work on the grant, I co-authored a monograph entitled *Innovation and Venture Capital Law and Policy* (Barkoczy, Wilkinson, Monotti, Davison), which was published by Federation Press in 2016. I have also been tutoring and lecturing at Monash for several years.

I chose Monash law because I had previously worked closely with several academics over my years at Monash, and particularly with Professor Stephen Barkoczy. I knew that Monash would offer me an exemplary degree and world-class expertise in my area of study.

Professor Stephen Barkoczy has lectured, researched and practised widely in the areas of taxation, superannuation and venture capital investment law. He is a member of the Innovation and Investment Committee of Innovation and Science Australia and a member of the Public Advice and Guidance Panel of the Australian Taxation Office. He is also a member of the International Faculty of the Institute for Austrian and International Tax Law at the Vienna University of Economics and Business, where he lectures in the Master of Laws Program in International Tax Law.

I have worked with Professor Barkoczy for many years now, and I feel extremely fortunate to be guided by his experience and knowledge. He has taught me an enormous amount over the years, and working with him through the PhD process has allowed me to put much of that teaching into practice.

When I complete my studies I would ideally continue lecturing, which I love”.



Supervision and the research community

Research degrees are suited to individuals who wish to pursue an academic career in law, engage in major academic research projects (such as a matter of law reform), or acquire recognised expertise in an area of law, policy or theory for career-related purposes. Postgraduate research students are carefully selected to ensure that they can successfully complete their studies.

All students must complete a probationary period before their candidature is confirmed. Their progress is then closely monitored for the duration of their studies. Monash is committed to providing the highest quality supervision and training. Only staff who have experience in supervising graduate research degree students and are accredited by the University can be appointed as principal supervisors.

Professional development for research candidates

As a postgraduate research student, you will not only be provided with first-rate facilities to conduct your research but also receive comprehensive training on how to conduct advanced legal research to ensure you are able to meet your objectives.

In addition, you will be invited to participate in the many academic activities of the Faculty to expand your knowledge and networks. These include the staff seminar series, as well as public lectures by national and international speakers. Students have the added benefit of being affiliated with a specialist research centre or group to which their supervisor belongs. Research students may be given the opportunity to work as research assistants to academic staff and as tutors to undergraduate students in the Faculty. You will also be invited to join the Faculty's active postgraduate research students' group.

Law expertise in the faculty is diverse (see list of research areas). Some of the areas of proficiency are represented within the Faculty's specialist research centres which include:

Australian Centre for Justice Innovation

The Australian Centre for Justice Innovation (ACJI) strives to improve justice systems through research, education and community engagement programs. ACJI was established in 2011 as a joint initiative between the Faculty of Law at Monash University and the Australasian Institute for Judicial Administration.

Our justice environment is rapidly evolving. Technology is disrupting legal services and providing opportunities for legal systems to become more accessible and efficient. The rise of non-adversarial practices has shown that there can be better alternatives to traditional court processes. This emergence of innovative approaches to justice creates a need for policy makers, courts and tribunals, law firms, legal services, the legal profession, educators and the community to adapt and respond.

To address this need, ACJI conducts high quality research and evaluation to support effective policy and practice innovation. ACJI's research provides an evidence base for improvements to justice systems and increased accessibility for system users and stakeholders. Our work builds on the Monash Law Faculty's strong history of research excellence and promoting social justice.

monash.edu/law/centres/acji

The Castan Centre for Human Rights Law

The Castan Centre seeks to promote and protect human rights through its renowned public scholarship. In pursuit of this mission, the centre works in the key areas of research, teaching, public education, policy and student programs.

The centre is a trusted voice on human rights. It regularly advises governments, is active in the media and on social media, and mentors many of the human rights leaders of tomorrow.

The centre is named after Ron Castan AM QC (1939-99), a passionate advocate for the recognition and protection of human rights, and a distinguished member of the Victorian Bar.

monash.edu/law/castancentre

The Centre for Commercial Law and Regulatory Studies

The Monash Centre for Commercial Law and Regulatory Studies (CLARS) seeks to foster innovative research in commercial law and regulatory theory and practice, exploring contemporary questions from a variety of perspectives (including legal and regulatory theory, empirical research and case studies).

CLARS has two major and related research program areas that represent core units – commercial law and practice, and regulatory theory and practice – with demonstrable research mass and scale from the governmental, health and other areas integrated with one or both of them.

monash.edu/law/research/centres/clars



INDEX OF RESEARCH AREAS

- A** Access to Justice
Administrative Law and Regulations
Alcohol, Drugs and the Law
Alternative Dispute Resolution
Anti-terrorism
Australian Environmental Law
Australian Industrial Relations Law
- B** Biotechnology and the Law
Broadcasting and Telecommunications
Business Innovation and Labour Law
Business Law
Business Sustainability
- C** Children's Rights
Chinese Law
Civil Liberties
Civil Procedure
Climate Change and Displacement
Clinical Legal Education
Commercial Law
Comparative Law
Comparative Constitutional Law
Competition Law
Constitutional Law
Construction Law
Consumer Law
Consumer Protection
Contempt of Court
Contract Law
Contracting Out
Government Services
Copyright Law
Corporate Crime
Corporate Governance
Corporate Insolvency
Corporate Social Responsibility
Corporations Law
Corporatisation/Privatisation
Criminal Law
Criminal Law Theory
Criminal Procedure/Criminal Justice
Cyberlaw
- D** Damages
Defacto Relationship
Defamation
Designs Law and Practice
Director's Duties
Discrimination Law
Drafting
Drugs in Sport
- E** E-Commerce/Electronic Law
Economic, Social and Cultural Rights
Eco-terrorism
Electronic Workplace Law
Electronic (or Paperless) Trade
Energy Law and Policy
Environmental Law and Policy
Environmental Taxation
Equity Remedies
Equity
EU Law (Justice and Home Affairs)
Evidence
- F** Family Law
Federalism
Feminist Legal Theory
Financial Regulation
Forensic Studies
Freedom of Information
- G** Gender Issues/Gender and the Law
German Law
Global Climate Change
Global Technology Regulation
Government Contracts
Government Liability, Immunity and Business Activity
- H** Harmonisation (Inter-governmental Relations)
Health Law
Human Rights Law
Human Rights (International and Domestic)
Human Rights and Corporations
Human Rights Education
- I** Immigration Law
Indigenous Legal Issues
Indonesian Law
Information Technology
Injury Compensation
Intellectual Property
Intellectual Property in Universities
International Banking and Finance
International Commercial Law
International Criminal Law
International Economic Law
International Economic Law and African Development
International Energy Law
International Environmental Law
International Human Rights Law
International Humanitarian Law
International Investment Law
International Labour Law
International Law
International Law (History of)
International Management of Natural Resources
International Maritime Law
International Organizations
International Sale of Goods Law
Human Rights Education
International Trade
International Trade Law
Internet/Cyber Law
International Justice
Islamic Law or Shari'a Law
- J** Judiciary
Juries
- L** Labour and Employment Law
Land Title
Land and Development
Law and Economics
Law and Outer Space
Law and Religion
Law and Politics
Law and Society
Law of Climate Change
Law of the European Union
Law of the Sea
Legal and Moral Philosophy
Legal Education / Practical
Legal Training
Legal Ethics
Legal History
Legal Practice and Legal Professional Issues
Legal Theory
Licensing and Technology
Transfer
Local Government
- M** Media Law
Mediation
Medical Law
Mental Health and Criminal Justice
Migration Law
Mooting
- N** Nanotechnology and the Law
Non-Adversarial Justice
- O** Occupational Health and Safety
Outsourcing Government Services
- P** Patents for Inventions
Privacy Law
Privacy, Freedom of Speech
Property Law
Psychiatry and Law
Public Sector Employment Law
Public International Law
Punishment/Sentencing
- R** Refugee Law
Regulatory Law/Regulatory Theory
Remedies
Restitution
Rights of Indigenous People
- S** Sentencing
Shari'a Law or Islamic Law
Slavery and the Law
Socio-Legal Research and Method
Statutory Interpretation
Superannuation Law
Surrogacy
- T** Taxation Law
Torts
Torts and Injury Compensation
Trade Marks
Trade Practices
Trade Secrets and Confidential Information
Trafficking in Human Beings
Transitional Justice
Transnational Anti-Corruption Law
Transnational Disaster Governance
Trusts and Trustees
- U** Utilities
- V** Venture Capital Law
- W** Women's Rights
Work Relationships
World Trade Organisation

HIGHER DEGREES BY RESEARCH

Doctor of Philosophy

The Doctor of Philosophy (PhD) in the Faculty of Law may be undertaken in any of the principal areas of research offered by the Faculty. It is particularly relevant to those contemplating an academic career in law.

In addition to a thesis of 80,000 words, PhD students are required to complete a Graduate Research Professional Development component. The Graduate Research Professional Development component requires students to complete training activities totalling 120 hours spread throughout their enrolment. Activities can be chosen from two overarching topics:

- Excellence in Research and Teaching
- Professionalism, Innovation and Career

The thesis must make an original contribution to knowledge and must demonstrate student's ability to carry out independent research and analyse and synthesise legal concepts.

Duration

3 – 4 years full-time
8 years part-time.

Intakes

Applications can be made throughout the year. Students intending to apply for a Postgraduate Research Scholarship are requested to contact the Faculty's Higher Degree by Research (HDR) Coordinator in the first instance (see back cover for contact details).

Entry requirements

Master of Laws (with a significant research component) or Bachelor of Laws with honours with a grade of H1 or H2A, (with an LLB honours thesis or equivalent) or an equivalent qualification considered appropriate by the Monash Graduate Research Office.



Oladapo Fabusuyi

I obtained my first degree in law from the University of Lagos, Nigeria and my LLM in the International Commercial Law program from the University of Sussex, UK where I was awarded the prize for the Highest Dissertation Mark. I am also a barrister and solicitor of the Supreme Court of Nigeria. Currently, I am a doctoral candidate at the Monash Law School. My research focus is on the intersection of international investment law with sustainable development. Prior to joining the law faculty, I worked as counsel in a top commercial firm located in Lagos. As counsel, I have experience in corporate/commercial law practice, legal advisory/compliance and dispute resolution. Upon completion of my doctorate degree, I plan to practice as a Barrister in Victoria to consolidate my professional experience in addition to joining academia.

I chose Monash primarily because of advice from trusted academics in the UK and Australia. Furthermore, I chose Monash because of its outstanding reputation in Law, its research credentials, the quality of its teachers and the unique opportunity of interacting with scholars from all over the world. I was confident that Monash was the right place to continue my academic journey.

My primary supervisor is Associate Professor Emmanuel Laryea, and my co-supervisor is Associate Professor Gerry Nagtzaam. I find working with my supervisors very useful in the conception of ideas. In particular, my primary supervisor brings his knowledge to bear with constructive critique of my writing, which I find insightful."

Master of Philosophy

The Master of Philosophy (MPhil) requires completion of a major thesis of around 35,000 words, which may be undertaken in any of the principle areas of research within the faculty. It is particularly suited to students seeking to undertake an inter-disciplinary research project.

It is expected that the thesis will meet a standard comparable to legal writings found in scholarly journals, and demonstrate the students ability to carry out independent research and analyse and synthesise legal concepts.

Duration

2 years full-time
4 years part-time

Intakes

Applications can be made throughout the year.

MPhil entry requirements

- Qualified for a degree of bachelor with a minimum upper Honours 2B (a mark of 65 or above) in an honours year in a relevant field, or its equivalent; or
- Qualifications which in the opinion of the Graduate Research Committee are equivalent or a satisfactory substitute.

All applicants must be able to demonstrate a capacity to carry out independent research and have adequate training and ability to pursue the proposed course of study.



Adam Zimble

Before I commenced my MPhil I was studying a Bachelor of Laws (Honours)/Bachelor of Arts and a Diploma in Languages at Monash University. I chose Monash Law for I had a great relationship with one of the Professors who then became my supervisor, and knew I would be able to write the thesis I wanted with great supervision.

Working with my Monash supervisors has been very satisfying. I have the flexibility to go off and research, think and write. Equally good (and important) is my ability to talk to an expert about my topic and get guidance on what I'm doing well and what I need to change. Both my supervisors take a fairly hands off approach which lets me develop my ideas, but they definitely aren't afraid to tell me when I'm going down a never-ending rabbit hole.

I have been offered a graduate role as a Policy Advisor next year with the Department of Foreign Affairs and Trade and hope to put my thesis to good use in this role."



Mei Tan

Prior to moving to Australia, I worked as a senior tax consultant at BDO Tax Services, Kuala Lumpur, Malaysia. I chose Monash Law for three main reasons. First, it is one of the best universities in law according to the Times Higher Education World University Rankings. Second, there are a few outstanding experts working in the areas of international environment law. This is extremely helpful as my research topic is related to China's climate change policies. The third reason is purely personal. I chose Monash Law because I completed my undergraduate degree at the Monash University Malaysia campus. There, I enjoyed the best moments of my life and had the opportunity to know some amazing people. I simply adore the 'culture' of Monash University.

My supervisors are Professor Stephen Barkoczy and Associate Professor Gerry Nagtzaam. I am thankful to have Stephen and Gerry as my supervisors. They are very supportive and understanding. Furthermore, they are 'critical' in giving feedback and suggestions, which I think is a quality of good supervisors.

Once my research is completed, I see myself as someone who is capable of conducting research independently and writing high quality research papers. I look forward to utilising these skills in my future academic job."

FEES AND SCHOLARSHIPS

Domestic students

There is no tuition fee for local students. Students admitted to study a higher degree by research at Monash will be funded by the Australian Government under the Research Training Program (RTP) known as "RTP Fees Offset."

Domestic scholarships

Non-taxable stipend scholarships for up to three years and 3 months are available for full-time students via a competitive process. Two common stipend scholarships are:

- Research Training Program (RTP) Stipend
- Monash Graduate Scholarship (MGS)

Successful outstanding domestic applicants are eligible to be considered for the Monash Graduate Excellence Scholarship as top-up stipend.

International students

Tuition fees apply to international students. The rate in 2019 is AUD\$36,100.

International scholarships

International students can apply for a range of scholarships via a competitive process including (but not limited to) RTP scholarships, Monash Graduate Scholarships (MGS), Monash International Tuition Scholarships (MITS) and in some instances Faculty scholarships.

Scholarship applications

There are four scholarship rounds each year. Please refer to dates for each round at monash.edu/graduate-research/future-students/apply

Students intending to apply for scholarships are requested to submit their expression of interest to the Faculty of Law in the first instance.

monash.edu/law/research/graduate-research/expression-of-interest-for-hdr

Scholarship eligibility

Scholarships are awarded to students who can establish H1 equivalency. For faculty-specific guidelines on H1 equivalency please refer to the Monash Law research website.

monash.edu/law/research/graduate-research/monash-pg-research-scholarships-law



Tanjina Sharmin

I completed an LLM at the University of Cambridge, and another LLM with LLB at the University of Dhaka. Before coming to Monash, I was working as a full-time lecturer at a premier Bangladeshi law school. I was also leading a research project for the United Nations Development Programme. Simultaneously, as an advocate of the Supreme Court of Bangladesh, I was assisting the then chief counsel for my country in an international investment arbitration.

I chose Monash Law for its growing international reputation, its focus on diversity, and the inclusion of scholars from all around the world.

My primary supervisor is Associate Professor Emmaneul Laryea, and co-supervisor is Dr Lisa Spagnolo. I have found working with my supervisors to be enriching. My primary supervisor challenges almost every idea I develop, and thus helps to concretise my thoughts. My second supervisor teaches me better writing styles, strategies, professional skills, and sometimes, useful life skills.

My PhD topic relates to International Economic Law. Accordingly, I aim for a career that may give me international exposure. My immediate goal is to see myself in academia. In the long run, I wish to move toward senior policy-making roles or to hold a public office."

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Tanjina Sharmin

How to apply

All prospective students for a higher degree by research at Monash University are required to email an expression of interest (EOI) to the relevant faculty before being invited to apply for admission to a course. The Faculty of Law Research Services office will assess the EOI and determine if the course eligibility criteria have been met and suitable supervision and resources are available.

How to submit an expression of interest

To submit an EOI, email the following documents to **law-research@monash.edu**

Please see the structure required for the research proposal by the Faculty at **law.monash.edu/research/hdr/preparing-researchproposal.html**; Curriculum vitae (CV); and Copies of academic transcripts.

Further details on how to submit your Expression of Interests are available at **monash.edu/law/research/graduate-research/expression-of-interest-for-hdr**



Further information

Further information on higher degrees by research at Monash University is available via the Monash Graduate Research Office at: **monash.edu/graduate-research**

How to apply

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Further details on how to submit your Expression of Interests are available at **monash.edu/law/research/graduate-research/expression-of-interest-for-hdr**