“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
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 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.

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 worked on the landmark Gove and Koowarta land rights cases, and helped found 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.

“The Castan Centre is a jewel in the crown of Australian law.”
– The Hon. Michael Kirby AC CMG, former High Court judge

“There was a sort of ruthlessness in Ron Castan. A ruthlessness on behalf of justice.”
– Thomas Kenneally AO
In an exciting move, 2013 saw the Centre’s annual conference held for the first time in the stunning location of Federation Square’s Edge theatre. This was our biggest conference yet, with over 300 attendees enjoying presentations from an outstanding line-up of human rights thinkers and public figures, including our international guest, Shahzad Akbar, the Legal Director of the Foundation for Fundamental Rights in Pakistan, then Attorney-General Mark Dreyfus QC, Eva Cox AO and the ABC’s Jonathon Holmes.

Alongside the conference, our vibrant and challenging public education program continued through our public lectures. Speakers included Professor Gillian Triggs, the President of the Australian Human Rights Commission, Professor Dinah Shelton, Commissioner of the Inter-American Commission on Human Rights, and the Hon. Adam Bandt MP, the Federal member for Melbourne. With a diverse range of topics, and free entry, our public lecture series makes a significant contribution to an informed and vigorous public debate about human rights.

The Centre also contributes to public debate through its policy work. Most significantly, the Centre informs policy debate at the federal, state and territory level through its submissions to parliamentary inquiries. Utilising the Centre’s world-class expertise on human rights, we provided advice on a wide range of topics, including electoral reform, migration law, amendments to sexual discrimination laws, reproductive health and anti-terrorism laws. Complementing this direct engagement with government, the Centre also helped inform public conversation by engaging with print and radio media. The Centre’s media presence was augmented by its innovative work on social media, which saw significant increases in the Centre’s Twitter and Facebook followers. 2013 also saw significant activity on our YouTube channel, with 42 videos being added to take the channel’s total to 115 human rights videos across a myriad of topics.

As a university-based human rights centre, nurturing students’ passion for human rights and shaping tomorrow’s human rights leaders is a vital part of what we do. Each year, the Global Internship Program provides outstanding Monash Law students with the unique opportunity to work for a leading overseas human rights organisation. Our 2013 program saw nine students flying off to eight organisations on four different continents. On home soil, we also supervised seven Monash Law students in our-house internship program, who gained invaluable experience and insight into the Centre’s day-to-day work in research, policy and public education. Students from across Victoria (and one law school in New South Wales) had the opportunity to tackle the Victorian Charter of Human Rights in the Centre’s human rights moot competition, now in its seventh successive year. In addition to our regular student programs, the Centre also collaborated with the Progressive Law Network, a law student run organisation, to create a comprehensive public interest law careers guide funded by the Victoria Law Foundation. The guide, now available online, is a wonderful resource for students, career counsellors and early career lawyers looking to make a difference through the law.

In addition to our specific student programs, Centre academics form the backbone of the longest-running Masters course in Australia devoted to human rights law, as well as the rich offerings in the area available at Monash University at the undergraduate level.

As ever, all of the Centre’s work is underpinned by its outstanding research capabilities, which lead to a large number of books, journal articles, conference papers and research consultancies on human rights in Australia and overseas.

As the Centre continues to grow, we look forward to further strengthening our core work, and expanding to new horizons in 2014.
In pursuit of our mission to promote and protect human rights through public scholarship, the Centre endeavours to reach the widest possible audience through our public education program. 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. Since its establishment in 2000, the Centre has hosted more than 150 conferences, public lectures, roundtables and careers seminars.

Public lectures

Our 2013 calendar was packed with public lectures and forums, featuring 27 speakers across 13 events throughout the year. As ever, the topics covered were broad and fascinating, ranging from the rights of athletes, to refugee policy, prisoners’ rights and the fragile situation in Sudan. Alongside Professor Dinah Shelton, a Commissioner of the Inter-American Commission on Human Rights, we showcased a number of exciting and distinguished Australian guests, including the President of the Australian Human Rights Commission, the CEO of Greenpeace Australia and federal and state MPs.

The 2013 public lectures were:

- Panel forum – ‘Children’s Ground: A model that could end inter-generational poverty in Australia’, 19 March 2013. Panelists:
  - Rosemary Addis, Social Innovation Strategist, Australian Department of Education, Employment and Workplace Relations
  - Jane Vadiveloo, CEO of Children’s Ground

  - Associate Professor Jennifer Burn, Director of Anti-Slavery Australia, Faculty of Law, University of Technology Sydney
  - Professor Susan Kneebone, Emeritus Associate, Castan Centre for Human Rights Law.

- Lecture – Professor Alex Bellamy, Griffith Asia Institute, Griffith University, ‘Sudan – 10 years after’, 30 May 2013. Panel forum – ‘ASIO’s Catch 22: Asylum in Limbo’, 17 June 2013. Panelists:
  - Matthew Albert, Melbourne Barrister
  - Jane Dixon SC, President of Liberty Victoria
  - Dr Patrick Emerton, Associate of the Castan Centre for Human Rights Law

- Panel forum – ‘Prisoners and human rights – the potential and the reality’, 8 August 2013. Panelists:
  - Dr Kim Pate, Executive Director, Canadian Association of Elizabeth Fry Societies
  - Debbie Kilroy, CEO of Sisters Inside
  - Associate Professor Bronwyn Naylor, Associate of the Castan Centre for Human Rights Law

  - Noel Campbell, Assistant Secretary, International Organisations Branch, Department of Foreign Affairs and Trade
  - Dr Sharon Pickering, Professor of Criminology and Australian Research Council Future Fellow on Border Policing, Monash University
  - Dr Ronli Sifris, Monash University Law School Lecturer and Castan Centre for Human Rights Law Associate
  - Dr Lesley Pruit, McKenzie Postdoctoral Research Fellow, University of Melbourne.

  - Jill Prior, Victorian Aboriginal Legal Service
  - Felicity Millner, Environment Defenders Office
  - Victorian Public Service Graduate Schemes


  - The Hon. Adam Bandt MP, Federal Member for Melbourne
  - Rodney Croome, National Director of Australian Marriage Equality
  - The Hon. Clem Newton-Brown MP, State Member for Prahran.

In 2013 our annual conference moved to the spacious and light-filled venue at the Deakin Edge in Federation Square. With over 300 attendees, this was our biggest conference yet, and remains the only annual human rights conference in Australia, and is a vital fixture on the Australian human rights calendar.

Speakers at the conference were:

- The Hon. Mark Dreyfus QC, then-Commonwealth Attorney-General, ‘Australia, Human Rights and the International Rule of Law’.
- Shahzad Akbar, Legal Director of the Foundation for Fundamental Rights in Pakistan, and a Reprieve Fellow, ‘US drone attacks in Pakistan: the civilian toll’.
- Associate Professor Paula Gerber, Castan Centre Deputy Director, ‘The UN’s work in the area of GLBT rights: What is it doing? What should it be doing?’.
- Eva Cox AO, Professorial Fellow, Jumbunna Indigenous House of Learning, UTS, ‘Women’s rights: progress or stalled?’.
- David Manne, Executive Director of the Refugee Immigration Legal Centre, ‘Refugees, the rule of law and the ethics of protection’.
- Judy Courtin, PhD student at the Faculty of Law, Monash University, ‘Sex crimes and the Catholic Church: Will a Parliamentary Inquiry and a Royal Commission deliver justice to victims, survivors and their families?’
- Jonathon Holmes, Host of Media Watch, ABC1, ‘Regulating the media: who’s to judge? (Please, not judges)’.
- Professor Sarah Joseph, Castan Centre Director, ‘The great free speech wars’

Special thanks goes to the Conference sponsors – Allens Linklaters and Oxfam-Monash Partnership.
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

Each year, the Centre’s Global Internship Program is a highlight of our activities. The 2013 program saw nine students flying off to eight leading human rights organisations on four different continents.

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 2013 Global Interns were:

- Laura John, Human Rights First, New York City
- Ellyse Borghi, Center for Constitutional Rights, New York City
- Adrianne Walters, United National Special Rapporteur on the Right to Health, Delhi
- Henrietta Champion de Crespigny, Plan International, Haiti
- Lisa Harrison and Nicola Greenberg, Oxfam and Lawyers for Human Rights, Durban
- Naomi McClellan, Human Rights Advocacy Centre, Accra

We acknowledge the support of the 2013 Global Internship supporters: Daniel and Danielle Besen, Sylvia & Michael Kantor, the Dara Foundation, the Nordia Foundation, the Monash Law Faculty’s Student Mobility Fund, the Monash University Office of the Deputy Vice Chancellor (Education) and MyriAD Consultants, which conducts 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. Some of the many projects the interns 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 and assisting at Centre events.

Our 2013 In-house interns were:

- Summer internship (January): Nathan Van Wees and Candice Colman
- Semester 1 (2013): Claerwen O’Hara and Asher Hirsch
- Semester 2 (2013): Sandra Murray, Sally Harris and Kate Mulvaney

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 2013 interns from Monash University were Ineke Dane, Madeleine Reilly, Liam Grigg, Sophie McLeod, Nyssa Meyer, Rebecca Naylor, Felicity Royds and Kate Taylor (Summer 2013/14 intake) and Alainnah Calabro, Shanti Fatchen, Michelle O’Toole and Tal Shmerling (Winter 2013 intake).

Human Rights Moot competition

Nine teams from Victorian law schools and one from the University of Sydney competed in the seventh annual Human Rights Moot. The preliminary rounds were held at the Melbourne offices of Clayton Utz, with the final taking place at the Victorian Court of Appeal before her honour, Justice Pamela Tate SC of the Court of Appeal, the Honourable Justice Michael Croucher of the Supreme Court and Fred Prickett of Clayton Utz. The competition once again gave students the opportunity to test their advocacy and legal analysis skills on a scenario that engaged the Victoria Charter of Human Rights and Responsibilities Act 2006, with a team from the University of Melbourne the eventual winners.

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

Clayton Utz Partner in Charge Fred Prickett, the Honourable Justice Pamela Tate and the Honourable Justice Michael Croucher.
Human Rights Careers Series and Guide

As a university-based human rights centre, we have always felt a strong commitment to providing support and opportunities to students interested in human rights. Naturally, Monash students have the opportunity to study human rights subjects, but we have always tried to support and inspire students in other ways, particularly through mentoring, advice and internships – both with us at the Centre and with like-minded organisations overseas through our Global Internship Program.

For many years, we have also provided information for students interested in human rights careers, principally through our annual careers series and our web page with information on volunteering and internship opportunities. However, we have always wished that we had the resources to produce something more comprehensive for students wanting to work in the field. We were therefore understandably delighted when the Progressive Law Network approached us with their idea of a comprehensive public interest law careers guide funded by the Victoria Law Foundation.

The online guide produced by the Progressive Law Network in collaboration with the Centre is a wonderful resource for students, career counsellors and early career lawyers looking to make a difference through the law. The guide was launched at a public event at the Monash Law Chambers in the CBD. Speakers featured:

- Jill Prior, Victorian Aboriginal Legal Service
- Felicity Millner, Environment Defenders Office
- Victorian Public Service Graduate Scheme

Policy

One major focus of the Centre is to utilise research to inform public policy debates on vital human rights issues. In 2013 the Centre used its world-class human rights expertise to influence public debate and government policy by providing impartial and independent views on important human rights issues to government, engaging regularly with traditional and mainstream media, and continuing the Centre’s high profile 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 submissions in 2013 were:

- P. Emerton, Appearance before the Independent National Security Legislation Monitor to give evidence on the terrorism financing provisions of the Criminal Code (Cth), April 2013
- A. Fletcher and T. Penovic, Submission to the Senate Legal and Constitutional Affairs Committee on Migration Amendment (Unauthorised Maritime Arrivals and Other Measures) Bill 2012, December 2012 (evidence given by Penovic, T on 31 January 2013)
- P. Gerber, A. Sifris, S. Joseph, and M. Smith, Submission to the NSW Legislative Council Standing Committee on Social Issues, Inquiry into Same Sex Marriage Law in NSW, March 2013
- A. Fletcher, Submission to Senate Legal and Constitutional Affairs Committee on the Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013, April 2013
- P. Gerber, Submission to the Office of the High Commissioner for Human Rights on Birth Registration, November 2013
- B. Naylor and A. Fletcher, Submission to the Senate Standing Committee on Legal and Constitutional Affairs on a Justice Reinvestment Approach to Criminal Justice in Australia, March 2013
- B. Naylor and A. MacKay, Submission to ACT Human Rights Commission on Human Rights Audit and Review of Treatment of Women at AMC, August 2013
- T. Penovic and R. Sifris, Submission to the Tasmanian Legislative Council on Reproductive Health (Access to Terminations) Bill 2013, July 2013 (evidence given on 3 September 2013)

Media

By engaging with the media, the Centre reaches a wider audience and can influence and inform public debate on human rights issues. The Centre’s media engagement comprised 53 mentions, which included:

- S. Joseph, “The NSW political donations case: the implied freedom of political communication strikes again (after 21 years)”, The Conversation, 20 December 2013
- P. Emerton, “Would spying on East Timor by the Australian Secret Intelligence Service be illegal?” ABC News FactCheck, 12 December 2013
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 13 links to human rights news, views and reports each day.
- A Facebook page (facebook.com/the castancentre), 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.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 2012 figures in brackets) were:

- 5,080 followers on Twitter (3,731).
- 3,068 followers on Facebook (1,374).
- 31,638 hits on its main blog site for the year (31,684).
- 6,262 hits on its Global Interns blog site for the year (6,043).
- 6,992 views on its YouTube site for the year (6,674).

Centre staff produced the following posts for the main blog site in 2013:

- R. Ball, ‘Human rights and religion in Australian law: where does the balance lie?’, 30 January 2013
- E. Contini and M. Castan, ‘Victorian children to be seen and not heard’ 5 February 2013
- J. Courtin, ‘Will a new pontiff signify a better approach to child abuse?’, 15 March 2013
- A. Dastaryi, ‘Circumventing the system: no, not the asylum seekers, the government’, 29 April 2013
- A. Dastaryi, ‘The Return to Rudd: a turn for the worse on asylum seeker policy?’, 1 July 2013
- A. Dastaryi, ‘Abbott’s copycat tow-back plan won’t stop the boats’, 17 July 2013
- A. Dastaryi, ‘Explainer: Australia’s obligations under the UN Refugee Convention’, 19 July 2013
- A. Dastaryi, ‘Is Australia’s new asylum policy the harshest in its history?’, 22 July 2013
- A. Durbach, ‘Violence against women is becoming more violent: special International Women’s Day post’, 8 March 2013
- A. Fletcher, ‘Hurting the most vulnerable: the Disability Discrimination Act does not apply to immigration law’, 15 May 2013
- A. Fletcher, ‘Prisons – Help or Hindrance?’, 30 October 2013
- A. Fletcher, ‘Sending People Back to Face Torture or even Death’, 10 December 2013
- K. Galloway, ‘The unravelling of civil liberties in Queensland’, 6 November 2013
- P. Gerber, ‘Is the criminalisation of homosexuality in the Commonwealth a relic of the British Empire?’, 20 November 2013
- P. Gerber and A Fawcett, ‘What can Australia learn from other countries about Birth Registration?’, 28 November 2013
- S. Joseph, ‘The media is offended by the new discrimination bill’, 11 January 2013
- S. Joseph, ‘PNG plan: cruel to be … cruel’, 29 July 2013
- S. Joseph, ‘The High Court – coming to a Centre Stage near you’, 19 November 2013
- S. Joseph, ‘Spies know more about us … but we know more about them’, 27 November 2013
- S. Kogan, ‘A trafficking jam: how can China better address the problem serious problem of labour trafficking?’, 23 January 2013
- J. Kyriakakis, ‘Shell Has No Case to Answer on Nigeria’, 26 April 2013
- C. Leslie, ‘Jeopardising access to justice for people experiencing mental illness’, 3 April 2013
- A. McBeth, ‘Refugee tribunal a check against the culture of no’, 21 March 2013
- C. O’Hara, ‘Children’s Ground: A model that could end intergenerational poverty in Australia’, 16 April 2013
- G. Orr, ‘Can Julian Assange be elected to Australia’s Parliament, and can Craig Thompson stay there?’, 5 February 2013
- M. O’Sullivan, ‘Push Backs’ of Boats to Indonesia’, 18 July 2013
Publications by Centre staff in 2013 were:

**Books and edited collections**
- M. Castan, Contemporary Perspectives on Human Rights Law in Australia, Thomson Reuters, Sydney Australia (with P. Gerber)
- R. Sifris, Reproductive Freedom, Torture and International Human Rights: Challenging the Masculinisation of Torture (Routledge, 2013)

**Book chapters**
- L. Walsh, ‘Racism demands action from all of us’, February 14 2013
- A. Walters, ‘The right to health, sexual violence and social change in India’, 18 January 2013
- M. O’Sullivan, ‘The PNG solution: as harsh as it is unprecedented’, 23 July 2013
- A. Walters, ‘The right to health, sexual violence and social change in India’, 18 January 2013
- M. Castan, ‘The Current Human Rights Law in Australia, Thomson Reuters, Sydney Australia (with P. Gerber)
- L. Walsh, ‘Racism demands action from all of us’, February 14 2013
- A. Walters, ‘The right to health, sexual violence and social change in India’, 18 January 2013

**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 nine Associates produce research leading to books, journal articles, conference papers, submissions to parliamentary inquiries, policy papers and opinion pieces.

Centre Manager Marius Smith interviews Federal MP Adam Bandt for our YouTube channel.


T. Penovic, Boat people and the body politic, in Contemporary Perspectives on Human Rights Law in Australia, eds Paula Gerber and Melissa Castan, Thomson Reuters, Pyrmont NSW Australia, pp. 333-370, 2013


**Journal articles**


**Papers**

M. Castan, ‘The Matrix as the Gatekeeper: Effective integration of online technologies in maximising research impact and engagement’, (with K. Galloway and K. Greaves), ALTA Conference, October 2013


A. Dastyari, ‘Detention by any other Name Just as Unlawful?’ Law and Society Conference, Boston, Massachusetts, United States, 29 June 2013


P. Gerber, ‘State Based Marriage Laws, the Constitution and Federal Inaction’ LIV Young Lawyers’ annual law reform event, Melbourne

P. Gerber, ‘The UN’s work in the area of GLBT rights: What is it doing? What could it be doing? ’ Castan Centre Annual Human Rights Conference, Melbourne

P. Gerber, ‘Marriage Equality in Australia’ at Women’s Rights seminar, Victorian Women Lawyers

S. Joseph, ‘Tintin, Politics and Human Rights’, Louvain-La-Neuve Faculty of Law, Louvain-la-Neuve, Belgium, 10 May 2013 (repeated at Free University of Brussels, 10 October 2013)


S. Joseph, ‘Social media and Human Rights’, University of Nottingham, 9 October 2013


S. Kneebone, ‘Human trafficking and forced migration in the Greater Mekong Subregion’ Global Ideas Forum Melbourne University on, August 2013


S. Kneebone, ‘Regional Engagement and Effective Protection in South East Asia’, Law Faculty, Warwick University, 10 October 2013


S. Kneebone, ‘Human and Organ Trafficking’, Africa Think Tank conference Melbourne University, December 2013

Ongoing grants

- J. Debeljak and R. Joyce, *Australian Research Council Linkage Infrastructure Equipment and Facilities Grant, entitled The International Law Library on WorldLi: New content and facilities for the leading repository and citator for international law, 2014-15*. The Grant is awarded with lead Chief Investigators Profs Andrew Mowbray and Graeme Greenleaf, and 17 fellow Chief Investigators. The administering organisation is University of Technology, Sydney, and the nine Partner Organisations are UoM, UNSW, UoS, UWA, Bond, UWS, UoQ, ANU, and Monash. The Grant is worth just over $650,000, with $284,000 contribution from the ARC.
- 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
- B. Naylor, *Legal Services Board (Victoria) (with Dr Deborah Kirkwood, Dr Danielle Tyson and Mandy McKenzie) ‘Improving Legal Responses to Domestic Homicides: A study of Homicides in Victoria 2005 2014’* ($140,000) – 2 years

Grants awarded

- B. Naylor, Monash-Warwick Alliance Seed Fund, *Access to Justice: A Comparative Analysis of cuts to the civil and criminal Legal-Aid systems in England, Wales and Victoria, with Asher Flynn, Arie Freiberg and Jude Mcullloch (at Monash) and Jacqueline Hodgson (Warwick), $13,398.00 (Monash) and £7,165.00 (Warwick) – 1 year.
- Castan Centre, Newman’s Own Foundation, *The ‘Human Rights in Three Minutes’ video project, ($42,087)

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*

Other


Human rights training consultancies

The Centre conducts short courses and training programs, predominantly for Australian and international government officials. In 2013 it conducted the following programs:

- Conducted human rights training courses for DFAT, 16 – 20 September 2013 (J. Kyriakakis, R. Joyce, A. McBeth)
- Business and Human Rights training course, 19 September 2013 (S. Joseph, B. Horrigan and A. McBeth)
In 2013 the following units were offered.

**Postgraduate Units**
- Children's rights in Australian law, K. Eastman
- Comparative Bills of Rights, A. Ward
- Freedom of speech – law, theory and policy, C. Campbell
- Globlisation and international economic law, F. Garcia
- Human trafficking and the law, S. Kneebone
- International Criminal Justice, G. Boas
- International humanitarian law, Dan Mori
- International human rights law and development, R. Joyce
- International Human Rights Law and Women, T. Penovic
- Overview of international human rights law, offered twice each year, H. Askola, J. Debeljak and K. Eastman
- Terrorism and Human Rights, S. Joseph
- Victorian charter of rights and responsibilities, K. Eastman

**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 2013 were:

**PhD**
- Olivia Ball, All the way to the UN: Is petitioning a UN human rights treaty-body worthwhile? (P. Gerber)
- Bronwyn Bartal, Rights of the pregnant woman and the role of the ‘born alive’ rule in the maintenance of those rights (B. Naylor)
- Narumon Changboonmee, The role of human rights to protect children on the move to Thailand (S. Kneebone)
- Judith Courtin, Mediation and Child Sexual Assault Perpetrated by Catholic Clergy: A Procedurally Just Process or a Panacea? (B. Naylor)
- Azadeh Dastyari, Out of sight, out of right?: the United States’ Migrant Interdiction Program in international waters and Guantanamo Bay, Cuba (A. McBeth with P. Emerton and S. Kneebone) (completed)
- Sina Etezazian, Ambiguities regarding the prerequisites for the exercise of self-defence (G. Boas)
- Piers Gooding, Supported decision-making and mental health law, (B. McSherry and R. Sifris)
- Rod Hagen, Unregistered and Invisible: An Examination of Indigenous Birth Certification and Registration in Australia (M. Castan with L. Russell)
- Brendan Loizou, Aboriginal People and Access to Justice: Are their rights being protected? (M. Castan with L. Russell)
- Anita MacKay, Comparison of two theoretical frameworks for prison operation – restorative justice and human rights (B. Naylor with J. Debeljak)
- Sarah McHutchinson, Improving patient participation in decision making pursuant to mental health legislation in Victoria, Australia, (B. McSherry and R. Sifris)
- Reyvi Marinas, Hannah Arendt’s contribution to thinking about non-citizens in law and politics (S. Kneebone and M. Janover)
- Shireen Morris, Indigenous recognition, reconciliation and the case for moving beyond ‘race’?: to what extent should Australia embed the principle of equality before the law in the Constitution, law and public policy?, (M. Castan and P. Emerton)
- Ferry Murdiansiay, Silent political intrusions to the Rome Statute of ICC: Major threat that may impede Indonesia?, (G. Boas)
- Jayani Nadarajalingham, Theorising collective resistance (P. Emerton with D. Smith and T. Handfield)
- Katie O’Bryan, A comparative legal analysis of the rights of Indigenous communities in Australia and other common law countries such as Canada, New Zealand and the USA to manage water, including an analysis of the international legal framework in which they exist (M. Castan)
- Len O’Neill, Anarchism and the Liberal Criminal Justice System, (P. Emerton)
- Frances Simmons, Questions of fact and degree: a study of slavery and people trafficking prosecutions in Australia, (S. Gray and S. Kneebone)
Natalie Stroud, The Koori Court of Victoria: An answer to cultural and language disadvantage for indigenous offenders in the criminal justice system? (M. Castan with K. Burridge)

Amber Tan, A Critical Evaluation of Reforms to National Security Laws & Significance to Constitutionalism, (HP Lee and S. Gray)

Noel Villaroman, The intersection of the human right to religious freedom and planning laws Building God’s Temple: Planning Regulations, Places of Worship and Religious Freedom in Australia (P. Gerber)

Caroline Aebersold, Investment Law and Human Rights Law (S. Joseph)

Lyn Coulson Barr, Conciliation and disability: Assessing capacity and adapting processes to promote participation of people with cognitive impairments in statutory conciliation (B. Naylor)

Mark Gumbleton, Towards the Abolition of the Doctrine of Extended Common Purpose (S. Gray)

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)

Linda Kirk, A rule of law model for protection status determination by the Refugee Review Tribunal, (S. Kneebone and M. Groves)

Lisa Lee, Women, war and gender-based violence: Protections in international humanitarian law and prosecutions in international criminal justice (G. Boas)

Mark Morley, International law, Islamic jurisprudence and the Constitution of Pakistan (S. Joseph)

Athena Nguyen, United States Peacekeepers and Sexual Exploitation (S. Kneebone and S. Joseph)

Samantha Renwick, Sentencing defensive homicide, (B. Naylor with J. Clough)

Robin Smith, Finding the State’s Soul: Determining a State’s Genocidal Intent (G. Boas)

Aderajew Teshome, Ethiopia’s Response to Human Trafficking: Towards Effective Criminalisation and Protection (S. Kneebone)

Honours

David Burke, Re-visiting Al-Kateb: Using the Principle of Legality to Prevent Indefinite Detention, (T. Penovic)

Alainah Calabro, To what extent do the legal frameworks surrounding birth registration act as a barrier to Indigenous Australians?, (M. Castan)

Michael Goddard, Legal Protection of the Traditional Knowledge of Indigenous Australians, (R. Joyce)

Masters by research

Brendan Ashdown, The role and importance of Parens Patriae principles in the superior Civil Courts of Australia, (T. Penovic)

Mel Keenan, The western legal response to sorcery in colonial Papua New Guinea, (M. Castan with G. Powles)

Lauren Peacock, Reconciliation, reparations and law reform in Australia: The 2012 recommendations to amend the constitution to recognise indigenous Australians, (R. Sifris)


LLB research

Katie Amanatidis, The ramifications of the M47 Case on Australian Migration Law and Policy, (S. Kneebone)

Henrietta Champion De Crespigny, CRC Right to Participate, (S. Kneebone)

Darcy Daly, The Independence of the Refugee Review Tribunal: Ministerial Directions – A Flashpoint of Executive Overreach, (A. McBeth)

Anuja Krishnamurthy, Domestic violence and international law, (A. McBeth)

Chaim Levin, The hearsay rule and its application with a criminal and civil context, (G. Boas)
