Law

Annual Report 2011

Monash Law School
Contents

1. Introduction to Monash Law School ................................................. 2
2. Campuses ..................................................................................... 3
  2.1 Clayton .................................................................................. 3
  2.2 Monash University Law Chambers ............................................. 3
  2.3 Monash Education Centre, Prato, Italy ........................................ 3
  2.4 Sunway, Malaysia ..................................................................... 3
3. Research ..................................................................................... 4
  3.1 Reflections on Research During 2011 .......................................... 4
  3.2 Higher Degree by Research Matters .......................................... 5
  3.3 Books .................................................................................... 5
  3.4 Research Success Stories ......................................................... 6
  3.5 Faculty Research Seminars ....................................................... 6
  3.6 Competitive Research Grants and Contracts .............................. 7
4. Teaching ................................................................................... 8
  4.1 Reflections on the Teaching portfolio ......................................... 8
  4.2 Teaching Awards ..................................................................... 8
  4.3 Curriculum Review ................................................................... 8
  4.4 Faculty Education Committee ................................................... 8
  4.5 Quality ................................................................................... 8
5. Centres ..................................................................................... 9
  5.1 Castan Centre for Human Rights Law ....................................... 9
  5.2 Centre for Regulatory Studies .................................................. 18
  5.3 Centre Report for The Faculty of Law Annual Report .............. 21
  5.4 Australian Centre for Court and Justice System Innovation (ACCJSI) 24
  5.5 Commercial Law Group (CLG) .................................................. 26
6. Curriculum ............................................................................... 30
  6.1 Undergraduate Courses ........................................................... 30
  6.2 Clinical Legal Education ........................................................... 30
  6.3 Postgraduate Courses .............................................................. 31
7. Equity and Diversity ................................................................. 32
  7.1 Membership 2011 .................................................................. 32
  7.2 Faculty Priorities ..................................................................... 32
  7.3 Activities in 2011 ................................................................... 33
8. International ............................................................................. 35
  8.1 Recruitment of International Students ..................................... 35
  8.2 Engagement with Partner Institutions ..................................... 35
  8.3 Overseas Programs .................................................................. 35
  8.4 Internships ............................................................................. 36
9. Law School Activities ............................................................... 37
  9.1 Events ................................................................................... 37
  9.2 Public Lectures ..................................................................... 38
  9.3 Book Launches ....................................................................... 40
  9.4 Media Involvement ................................................................ 40
10. Advancement .......................................................................... 41
  10.1 Advancement ..................................................................... 41
  10.2 Monash Law School Foundation Board .................................. 41
  10.3 Alumni Relations .................................................................. 41
11. Monash Law Students’ Society .................................................... 43
  11.1 Monash Law Students’ Society ............................................... 43
  11.2 The Student Experience ....................................................... 44
12. Monash Law Library ................................................................. 45
  12.1 Monash Law Library ............................................................. 45
  12.2 2011 Highlights ................................................................... 45
  12.3 Facilities and services highlights .......................................... 46
  12.4 Collection highlights ............................................................ 46
  12.5 Law Library senior staff ....................................................... 46
  12.6 Publications/Conference presentations ............................... 46
  12.7 Journal affiliations and external committees ....................... 46
13. Staff List ............................................................................... 47
  13.1 Staff List ........................................................................... 47
  13.2 Administrative Structure ...................................................... 49
  13.3 Promotions ........................................................................ 49
  13.4 Appointments ...................................................................... 49
  13.5 Resignations ...................................................................... 49
  13.6 Outside Studies Program ....................................................... 49
14. External Boards and Committees ............................................... 50
  14.1 External Boards and Committees .......................................... 50
  14.2 Journal Affiliations ............................................................... 51
15. Staff and Student Publications .................................................. 53
  15.1 Staff and Student Publications ............................................... 53
Appendix I ............................................................................... 59
Appendix II .......................................................................... 60
1. Introduction to Monash Law School

The fact that it takes over 60 pages of closely typed text to summarise the activities of the Monash Law School in 2011 is abundant evidence of the size, scope and strength of a faculty that is now ranked in the top 20 of the world’s law schools.

This ranking recognizes the faculty’s growing international reputation, research record and impact, and its teaching program. In a crowded and growing market, nationally and internationally, where the competition for students and staff is intense, this Annual Report, together with a number of other faculty alumni, student and staff publications, draws the attention of a wide audience to the faculty’s wide-ranging activities.

The year was marked by the move of the graduate programs, the LLM and the JD, to our new premises at 555 Lonsdale Street. This was due largely in part to the growth of our graduate programs. In addition, the number of public events, seminars and conferences that we conduct or host, and the size of those programs, required a change of venue. The quality and increased size of the new Monash University Law Chambers, and its location in the heart of the legal precinct, has transformed our teaching and learning programs and allows the faculty to present more professionally to the world, to the students who study there and to our staff.

Although this Annual Report reviews the 2011 academic year, this Introduction is written in 2012, as it takes considerable time to collect the relevant information and prepare it for publication. 2012 will be my last year as dean and any report on the 2012 academic, prepared in 2013, will be under the auspices of my successor, Professor Bryan Horrigan, who will take up the position of dean from the beginning of 2013.

This series of annual reports commenced in 2004 and this is the ninth under my deanship. Each report reflects, I hope, an increasingly active, engaged and influential faculty that will continue to be highly regarded by its alumni and the legal community more widely. In 2014, the publication of a history of the faculty in its the 50th anniversary year, should provide a wider and longer perspective on the faculty’s achievements, one that will also be more reflective than any annual review.

It has been an honour to lead the faculty and I look forward to continuing my long association with it as an Emeritus Professor in the coming years.

Arie Freiberg
Dean
2. Campuses

2.1 Clayton

Monash University Clayton campus is the largest of the university’s eight campuses. The diversity of programs offered is reflected in the fact that eight out of the university’s 10 faculties are represented on campus – Arts, Business and Economics, Education, Engineering, Information Technology, Law, Medicine, Nursing and Health Sciences and Science. The campus offers a rich array of sporting, cultural and educational events and facilities, and has a proud record of achievement in fostering collaborative research projects.

The Law School is located on the Clayton campus and houses the university’s Law Library, three computer laboratories and five lecture theatres. The majority of our undergraduate teaching occurs at this location.

The Law School’s clinical training program operates from the Monash Oakleigh Legal Service and the Springvale Monash Legal Service.

2.2 Monash University Law Chambers

Monash University Law Chambers moved to a new specially-designed premise in the Melbourne CBD in 2011. The Chambers is now located in the heart of the city’s legal precinct at 555 Lonsdale Street, adjacent to Owen Dixon Chambers and within walking distance of the Magistrates, County and Supreme Courts.

The Law Chambers has been renovated to our exacting standards to optimise the teaching and learning experiences for both staff and students. It provides substantial space for its occupants along with high-quality teaching facilities, independent student study areas and new amenities including a resource centre, a multi-purpose lounge and a modern student kitchen. These provide a superb new environment conducive to creative and independent learning.

Our postgraduate students, academic and professional staff occupy these stunning new facilities and are enjoying the first-class teaching environment and up-to-the-minute amenities in a contemporary and sophisticated setting.

2.3 Monash Education Centre, Prato, Italy

In keeping with Monash Law’s aim to be a truly international law school, the Monash Law Faculty encourages students to undertake one semester of their law degree at the Monash Education Centre in Prato, Italy. Students can undertake up to four law units through the Prato Study Program, taught by academics from Monash University, judges and practitioners as well as academics from partner institutions in Canada, Israel and Italy. Units are taught in semi-intensive mode over 3-4 weeks.

The program runs in the European Spring each year. Classes are taken in the elegant 18th Century palace, Palazzo Vaj in the medieval historic centre of Prato, Italy. There are 3 computer laboratories at the Monash University Prato Centre and the building also has a wireless internet network available.

2.4 Sunway, Malaysia

Sunway was Monash University’s first international campus. Located 18 kilometres from central Kuala Lumpur, it houses more than 5000 students. Sunway has a vibrant, global atmosphere – about one quarter of the student body is international.

Modeled after the award-winning Prato Law Program taught at Monash University’s Prato, the intensive eight-week law program offers units taught in English by academics from Monash University and other partner institutions, such as the Windsor University in Canada and City University Hong Kong.

The law program at Malaysia has been running since 2010, and is host to a variety of academic staff engaging in academic research, with particular strengths in Asian business strategy, Islamic economic development and social transformation in Southeast Asia.
3. Research

3.1 Reflections on Research During 2011

Overview
Over the past few years the Faculty has placed an emphasis on ‘academic strengthening’. A university wide thrust, it has included several strategies with an aim of achieving higher overall academic performance. This push, in addition to other ongoing self improvement efforts, helped the Faculty in 2011 to achieve its highest ever totals for both publication outputs and research income. The Faculty’s weighted score for research publications for the four categories reported to the Australian Government annually (scholarly books (A1 category), scholarly book chapters (B1), scholarly refereed journal articles (C1), and scholarly refereed conference publications (E1)) was 153.7 points, or 2.4 per cent higher than for 2010. The 2011 research income total was $2.24 million, an increase of 35 per cent, and covered competitive research grants, research contracts and consultancies, and research donations. Multiple domains of legal research were traversed across the Faculty.

Throughout the year, the Faculty conducted a Faculty Research Seminar Series. This forum enabled highly regarded Australian and international visiting scholars from a broad range of legal and cross-disciplinary fields to present their work to staff and students. The Faculty also welcomed Mr Matt Randall as its inaugural Research Services Manager and Ms Bridget Sadler as the Personal Assistant to the Associate Dean (Research). These appointments provided a significant enhancement to our research support and administration capacity.

New Faculty Research Centre
The Centre for the Advancement of Law and Mental Health (CALMH) commenced operations under the directorship of Australian Research Council (ARC) Federation Fellow, Professor Bernadette McSherry, and Deputy Directors Dr Penelope Weller and Professor Ian Freckelton SC. The centre draws upon existing links with the Faculty of Medicine, Nursing and Health Sciences as well as mental health professionals, consumers, and carers in order to conduct research into the advancement of laws and policy relating to mental health. The opening of the centre brought the total number of Faculty research centres and groups in 2011 to five (the others being the Australian Centre for Court and Justice System Innovation, Castan Centre for Human Rights Law, Monash Centre for Regulatory Studies and the Commercial Law Group.

Major grant
In 2011 an ARC Linkage Project was awarded to Associate Professor Paula Gerber, Ms Melissa Castan, Professor Lynette Russell (Monash Indigenous Centre, Faculty of Arts, Monash University), and Associate Professor Cecily Freemantle (The University of Melbourne) for their project ‘Closing the gap on Indigenous birth registration’. The project commenced in 2012 and aims to facilitate the gathering of accurate population data on Indigenous births, essential for the realisation of the Australian Government’s ‘Closing the Gap’ initiatives.

Research Symposium and Celebration of Scholarship event
The Faculty holds a Research Symposium each year to celebrate the achievements of its researchers, research students, and supervisors of research students. This event also enables the development of new strategies to support research and facilitates discussion on other topics of relevance to the academic staff. In the period 2009 to 2011, Faculty academics produced some 44 books (first editions and revised editions) and the 2011 Symposium was followed by an ‘In Review’ Celebration of Scholarship event to showcase the scholarly monographs from this collection.

Both events took place on Monday 17 October 2011 in the new Monash University Law Chambers in Melbourne. The theme of the Celebration of Scholarship was ‘Building the Greats – Supporting and Celebrating Successful Researchers and Supervisors’ and the keynote speaker was Sir Gerard Brennan AC, KBE, QC, 10th Chief Justice of Australia.

Awards
Associate Professor Paula Gerber was awarded the Faculty Early Career Researcher Award for 2011 in recognition of her research excellence in the arena of human rights education and her achievements through multiple publications and grants.
3.2 Higher Degree by Research Matters

Overview
The Faculty continued to attract high quality higher degree by research (HDR) candidates with over 90 enrolled by the end of 2011. The year also saw the arrival of four new international Doctor of Philosophy (PhD) candidates from Asia, the Middle-East and Central America. It was the first time the Faculty enrolled PhD candidates from Saudi Arabia, Panama and Thailand as well as an Australian Endeavour Postgraduate Award recipient from the Philippines. There was as well an increased number of new local candidates choosing to undertake full time PhD c antiduates.

Preparations commenced in 2011 for the new Monash University PhD program that will incorporate a coursework / skills training component and which will be implemented in the Faculty from 2014. A new policy to enable the transfer of candidature from the Doctor of Juridical Science (SJD) to a PhD in law was established in 2011. The first two SJD candidates transferred their candidature to PhD.

Professor Mark Davison ended his term as the HDR Convenor in December 2011 and Associate Professor John Duns was appointed to take over in 2012.

Scholarships
The Faculty was awarded five Australian Postgraduate Awards (APA), two Monash Graduate Scholarships (MGS), and one Monash International Postgraduate Research Scholarship (MIPRS). In addition the Faculty awarded a Postgraduate Law Dean’s Award to supplement an Australian Endeavour Postgraduate Award.

Degrees awarded
The following eight HDR candidates were awarded their degrees in 2011:

- **Mr Christopher Lane**
  Doctor of Philosophy (PhD)
  Thesis title: ‘Cryonic suspension: a critical analysis of the legal and ethical issues associated with the development of human cryonic suspension’
  Supervisor: Professor Bernadette McSherry (Main)

- **Ms Suzanne Le Mire**
  Doctor of Philosophy (PhD)
  Thesis title: ‘Monitor, strategist, resource-gatherer or colleague? Regulating the independent director’
  Supervisors: Associate Professor John Duns (Joint Main), Dr George Gilligan (Joint Main), and Professor Dimitry Kingsford-Smith (External)

- **Ms Siva Marimuthu**
  Doctor of Philosophy (PhD)
  Supervisor: Associate Professor David Lindsay (Main)

- **Assistant Professor Sarah Murray**
  Doctor of Philosophy (PhD)
  Thesis title: ‘Less-adversarial practice & the constitutional role of the judiciary in Australia’
  Supervisors: Dr Becky Batagol (Joint Main), Professor Arie Freiberg (Joint Main), and Professor Jeffrey Goldsworthy (Joint Main)

- **Ms Shirley Quo**
  Doctor of Juridical Science (SJD)
  Thesis title: ‘Competition, misuse of market power and the role of the ‘Purpose Test’ in section 46 of the Trade Practices Act’
  Supervisor: Associate Professor John Duns (Main)

- **Ms Ronli Sifris**
  Doctor of Philosophy (PhD)
  Thesis title: ‘Conceptualising restrictions on abortion and involuntary sterilisation procedures as torture or cruel, inhuman or degrading treatment’
  Supervisor: Professor Sarah Joseph (Associate) and Professor Bernadette McSherry (Main)

- **Ms Karen Wheelwright**
  Doctor of Philosophy (PhD)
  Thesis title: ‘The liability of Australian directors and managers for deaths at work’
  Supervisor: Associate Professor Jonathan Clough (Main)

- **Mr Gregory Xu**
  Doctor of Juridical Science (SJD)
  Thesis title: ‘Advocates’ immunity – a great divide in the privileges accorded to legal professions around the world’
  Supervisor: Associate Professor Matthew Groves (Main)

3.3 Books
A large proportion of the Faculty’s academics authored scholarly books (in the A1 category), and lead edited book collections (A3), as well as publishing new editions or making other significant revisions of their published books (A4) in 2011. While many of the Faculty’s professors, associate professors and senior lecturers featured in these ranks, an impressive characteristic of 2011 was the many young researchers just beginning their academic careers who also authored a book. Contributions from such researchers included:


- **Dr Adam McBeth** (with Ms Justine Nolan and Associate Professor Simon Rice), *International Law of Human Rights* (Oxford University Press, 2011).

A further notable book author in 2011 was Mr Bryan Keon-Cohen AM QC who published *Mabo in the Courts: Islander Tradition to Native Title: A Memoir* through Australian Scholarly Publishing. The Mabo story and the historic involvement of Faculty personnel (including Mr Bryan Keon-Cohen, Mr Ron Castan AM QC (founder of the Faculty’s Castan Centre for Human Rights Law) and Ms Melissa Castan, all featured in the subsequent popular film Mabo in 2012.

- **Dr Sarah Murray**
  Doctor of Philosophy (PhD)
  Thesis title: ‘Less-adversarial practice & the constitutional role of the judiciary in Australia’
  Supervisor: Associate Professor John Duns (Main)

- **Ms Shirley Quo**
  Doctor of Juridical Science (SJD)
  Thesis title: ‘Competition, misuse of market power and the role of the ‘Purpose Test’ in section 46 of the Trade Practices Act’
  Supervisor: Associate Professor John Duns (Main)

- **Ms Ronli Sifris**
  Doctor of Philosophy (PhD)
  Thesis title: ‘Conceptualising restrictions on abortion and involuntary sterilisation procedures as torture or cruel, inhuman or degrading treatment’
  Supervisor: Professor Sarah Joseph (Associate) and Professor Bernadette McSherry (Main)

- **Ms Karen Wheelwright**
  Doctor of Philosophy (PhD)
  Thesis title: ‘The liability of Australian directors and managers for deaths at work’
  Supervisor: Associate Professor Jonathan Clough (Main)

- **Mr Gregory Xu**
  Doctor of Juridical Science (SJD)
  Thesis title: ‘Advocates’ immunity – a great divide in the privileges accorded to legal professions around the world’
  Supervisor: Associate Professor Matthew Groves (Main)
3.4 Research Success Stories

Individual Faculty researchers and HDR students also achieved a number of successes in 2011. Amongst these were prizes awarded for University research excellence, and the external high level acknowledgement of expertise:

- **Assistant Professor Sarah Murray**’s PhD thesis ‘Less-adversarial practice & the constitutional role of the judiciary in Australia’ was awarded the 2011 Mollie Holman Doctoral Medal by the University as the best law thesis of the year.

- **Mr Noel Villaroman** (PhD student) was invited in his ‘expert capacity’ by the UN Independent Expert on the effects of foreign debt to the enjoyment of human rights, UN Office of the High Commissioner for Human Rights (OHCHR) to present a paper during the consultation on the Draft Guidelines on Foreign Debt and Human Rights held in Doha, Qatar on 31 January – 1 February 2011. He was also invited again by the OHCHR to the final expert meeting in Geneva during 17-18 November 2011 to review and finalise the Draft.

- **Guidelines on Foreign Debt and Human Rights.**

3.5 Faculty Research Seminars

<table>
<thead>
<tr>
<th>Date</th>
<th>Presenter</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 March</td>
<td>Mr Sandesh Sivakumaran (University of Nottingham)</td>
<td>Internal armed conflict</td>
</tr>
<tr>
<td>17 March</td>
<td>Associate Professor Kathy Laster, Dr Richard Joyce, and Dr Janice Richardson (Faculty of Law, Monash University)</td>
<td>New academic Faculty staff members</td>
</tr>
<tr>
<td>31 March</td>
<td>Professor Mike Ramsey (University of San Diego, USA)</td>
<td>The constitutional status of international law</td>
</tr>
<tr>
<td>12 May</td>
<td>Professor Kimberly Kirkland (University of New Hampshire, USA)</td>
<td>Ethical worldviews of large firm lawyers in the United States</td>
</tr>
<tr>
<td>23 June</td>
<td>Professor Christopher Arup (Department of Business Law and Taxation, Faculty of Business and Economics, Monash University)</td>
<td>Regulatory studies in an Ungovernable world</td>
</tr>
<tr>
<td>21 July</td>
<td>Associate Professor Diana Sancho Villa (Universidad Rey Juan Carlos, Madrid, Spain)</td>
<td>Jurisdiction over jurisdiction and choice of court agreements: which court decides?</td>
</tr>
<tr>
<td>28 July</td>
<td>Associate Professor Ivan Tchotourian (Nantes University, France)</td>
<td>Corporate law and CSR: hard law as solution? Are the CSR initiatives in France a model for Australia?</td>
</tr>
<tr>
<td>16 August</td>
<td>Professor Frank J. Garcia (Boston College Law School)</td>
<td>Trade or exploitation? Some troubling dynamics in contemporary free trade agreements</td>
</tr>
<tr>
<td>25 August</td>
<td>Dr Barbara Starzer (Institute for Criminal Law, Johannes Kepler University, Austria)</td>
<td>On the stalker’s path – comparing the Victorian anti-stalking law to Austria’s criminal law against stalking from the Upper-Austrian-Victim-Survey</td>
</tr>
<tr>
<td>10 October</td>
<td>Professor Arno Akkermans (Vrije University, The Netherlands)</td>
<td>The impact of lawyer-client interactions in personal injury compensation schemes</td>
</tr>
<tr>
<td>13 October</td>
<td>Ms Eva Aernecke and Dr Stephanie Schiedermaier (Johannes Gutenberg University, Germany)</td>
<td>Privacy – national and international perspectives</td>
</tr>
<tr>
<td>6 December</td>
<td>Professor Daniel Sinclair (Professor of Jewish Law and Comparative Biomedical Law, Law School of the College of Management Academic Studies, Israel)</td>
<td>Patient autonomy in the dying process and brain death: Jewish law and its role in recent Israeli biomedical legislation</td>
</tr>
</tbody>
</table>
3. Research

3.6 Competitive Research Grants and Contracts

ARC Federation Fellowship
- Professor Bernadette McSherry, ‘Rethinking mental health laws: an integrated approach’ (2007-2012)

ARC Discovery Projects
- Associate Professor Gideon Boas, Professor William Schabas (National University of Ireland, Galway), and Professor Michael Scharf (Case Western Reserve University), ‘International criminal justice: law, policy and its relevance to Australia’s security’ (2010-2012)
- Professor Jeffrey Goldsworthy, Dr Dale Smith, and Dr Patrick Emerton, with partner investigators Dr Stephen Barker (University of Nottingham), and Mr Richard Ekins (University of Auckland), ‘A principled theory of legal interpretation’ (2010-2012)
- Professor Susan Kneebone, ‘Law, governance and regulation of intraregional labour migration in South East Asia: an agenda for protection and development’ (2009-2011)
- Professor Sharon Christensen (Queensland University of Technology), Professor Douglas Fisher (Queensland University of Technology), Associate Professor Pamela O’Connor, Professor William Duncan (Queensland University of Technology), Dr Nicola Durrant (Queensland University of Technology), ‘An integrated legal regime for a sustainable carbon cycle’ (2010-2012)

ARC Linkage Projects
- Associate Professor Anne Marsh (Faculty of Art and Design, Monash University), Dr Daniel Palmer (Faculty of Art and Design, Monash University), Dr Melissa Miles (Faculty of Art and Design, Monash University), and Professor Mark Davison, ‘Photography as a crime’ (2009-2012)
- Professor Susan Kneebone, ‘Delivering effective protection to victims and prevention of human trafficking in the Greater Mekong Sub-Region’ (2008-2011)
- Associate Professor Bronwyn Naylor, Professor Marilyn Pittard, Dr Georgina Heydon (School of Humanities, Communications and Social Sciences, Monash University), and Associate Professor Moira Paterson, ‘Living down the past: criminal record checks and access to employment for ex-offenders’ (2009-2012)
- Professor James Ogloff (School of Psychology and Psychiatry, Monash University), Dr Stuart Thomas (School of Psychology and Psychiatry, Monash University), Professor Paul Mullen (School of Psychology and Psychiatry, Monash University), Dr Patricia Martin (Victorian Institute of Forensic Mental Health (Forensicare)), Associate Professor Jonathan Clough, with partner investigators Dr Christine Tye (Forensicare), Mr Ashley Dickinson (Victoria Police), Mr Ken Lay (Victoria Police), and Professor Jeffrey Pfeifer (University of Regina, Canada), ‘Policing services and the mentally ill: an evidence-based good practice model’ (2007-2011)

Academy of Social Sciences in Australia (ASSA)
- Dr Karinne Ludlow, ‘Innovation and nonadopter rights: comparing the Australian, Canadian and the United States response to pure economic loss suffered by non-adopters of innovative technologies’ (2010-2011)

AusAID
- Professor Jeffrey Waincymer, ‘Problem based trade and investment law program’ (2010-2013)

Australian Learning and Teaching Council (ALTC)
- Professor Adrian Evans, ‘Strengthening Australian legal education by integrating clinical experiences: identifying and supporting effective practices’ (2010-2012)

Legal Services Board of Victoria (LSB)
- Dr Renata Alexander, ‘Lawful correction or child abuse: clarifying the boundaries, sanctions and decision-making surrounding the physical discipline of children’ (2008-2011)

State Government of Victoria, Department of Justice
- Professor David Cousins, ‘Evaluation of the impacts of interest rate caps’ (2010-2011)
- Professor Arie Freiberg, ‘Centre for Regulatory Studies Research’ (2008-2011)
4. Teaching

4.1 Reflections on the Teaching portfolio

During 2011 the position of Director of Teaching was shared by
- Professor Justin Malbon in Semester 1
- Associate Professor John Duns in Semester 2.

The Teaching portfolio continued to be supported by Ms Joanna Becker, the Manager Education Services and Mr Lloyd England, the Manager Student Experience.

In November, as part of the Faculty restructure, the position of Director of Teaching was disestablished and replaced by the position of Associate Dean Education. Associate Professor Jonathan Clough was then appointed to this role. In addition, a new administrative area called the ‘Education Services Group’ was established. Ms Kate Freemantle was recruited as the new Manager Education Services, supported by Ms Jo Becker (Manager Teaching and Learning), Mr Lloyd England (Manager Student Experience), Ms Dianne O’Neill and the ASU staff, Ms Heather Beeching, and Mr Jamie Newell.

4.2 Teaching Awards

- Faculty Teaching Awards – Professor George Hampel was awarded the 2011 Faculty Teaching Award which was worth $1,000.
- External Teaching Awards – Dr Paula Gerber won an Australian Learning and Teaching Council Citation for Outstanding Contributions to Student Learning worth $10,000. This is the first Citation that has been awarded to a member of the Law Faculty.

4.3 Curriculum Review

The Faculty undertook an extensive review of the LLB and JD Curriculum in 2011 which involved substantial consultation with a range of stakeholders. As a result of these consultations a report containing 25 proposals for improving the LLB and JD was developed. Many of these proposals will be actioned in 2012 with the new LLB and JD Courses due for full implementation in 2014.

4.4 Faculty Education Committee

The Faculty Education Committee was chaired by the Director of Teaching and met four times during 2011. As part of the Faculty restructure in November 2011 the old committee was disestablished and a new committee established with different Terms of Reference, new members and chaired by Associate Professor Clough.

4.5 Quality

The Faculty worked closely with the Office of Planning and Quality to conduct the required evaluations including the introduction of the new online SETU survey – Student Evaluation of Teachers and Units.
5.1 Castan Centre for Human Rights Law

The Castan Centre for Human Rights Law is named after Ron Castan AM QC (1939-1999), who was a passionate advocate for the recognition and protection of human rights and a distinguished member of the Victorian Bar. The Centre was established in 2000 under a grant from the Monash Law School Foundation to meet the need for, and interest in, the study of human rights law, globally, regionally and in Australia.

The Castan Centre seeks to promote and protect human rights through the generation and dissemination of public scholarship in international and domestic human rights law.

In pursuit of this mandate, the Centre brings the work of human rights scholars, practitioners and advocates from a wide range of disciplines together in the Centre’s key activities of research, teaching, public education (lectures, seminars, conferences, speeches, media presentations etc), applied research, advice work and consultancies.

The Centre has established and taught a number of human rights courses in the Monash Law School; coordinates local and international internship opportunities; hosts conferences, workshops, lectures and other public events inside and outside the university; is involved in civil society, the media and public debate on human rights issues; won grants and project tenders on cutting-edge issues, and involves itself in global and regional human rights problems.

5.1.1 2011 Highlights

In 2011 the Castan Centre continued to grow in its core areas of public education, student programs and especially policy. It influenced public and academic discourse, conducted cutting-edge research and gave unprecedented opportunities to secondary and tertiary students to engage with human rights. Highlights of the year included:

- The launch of the Accountability Project, to create research and policy work to both lobby governments and parliaments and inform the public of important human rights issues. The project includes a new research focused position of Accountability Project Manager.
- Twenty four submissions to Parliamentary committees on many areas of human rights, including the Human Rights (Parliamentary Scrutiny) Bill.
- A tripling of media mentions compared with 2010.
- The Centre’s largest ever fundraising year, with donations and sponsorship totalling $106,844.
- The 2011 Human Rights Conference, which sold out one month in advance.
- Eleven public lectures, including the Annual Lecture hosted in association with Mallesons Stephen Jaques.
- Student programs including the fifth annual Charter of Human Rights mooting competition and the fifth annual Writing for Human Rights essay competition.
- The largest cohort of Castan Centre Global Interns, who interned at ten organisations in five different regions.
- Eleven Aurora internships, completed at native title representative bodies, and other Indigenous organisations, around the country.
- Four practical human rights placement positions with Melbourne law firm Holding Redlich.
5.1.3 Public events

Public lectures and events

- Lecture by 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’, 10 February 2011

- Career forum with students who undertook internships at international criminal tribunals, ‘International Humanitarian Law and the Young Lawyer’, 16 March 2011

- Lecture by 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’, 5 April 2011

- Forum with panelists Professor Sarah Joseph, Sam McLean, Jonathan Green and Alex Pagliaro discussed the opportunities and challenges associated with the use of social media to promote and protect human rights, ‘Will the Revolution be Tweeted? The Role of Social Media in Promoting and Protecting Human Rights’, 4 May 2011

- Forum with panelists Professor Donald R Rothwell, Associate Professor Gideon Boas and Dr Jeff Sparrow, ‘Perspectives on the International Intervention in Libya’, 20 April 2011

- Lecture by Aicha Dahane, an International Officer of the Forum for the Future for Saharan Women (Western Sahara), Dr Benjamin MacQueen is the Deputy Director of the Global Terrorism Research Centre at Monash University. They spoke at the forum ‘Western Sahara: Living Dangerously Under Moroccan Occupation’, 10 May 2011


- Forum with panelists Professor Dr Dadang Kahmad, Professor Dr Asep Saepul Muhtadi and Mr Hendar Riyadh, ‘Religion and Society in Indonesia after the Cikeusik Murders’, 29 August 2011

- Forum with panelists Dr Susan Kneebone, Maria O’Sullivan and Professor James Walter, ‘The High Court and Refugee Policy: Implications and International Comparisons’, 14 September 2011

- Forum with panelists James Stellios of ANU College of Law and Dr Julie Debeljak of the Castan Centre, ‘Momcilovic v R: The High Court’s Views on the Constitutionality and Operation of the Victorian Charter’, 10 October 2011

- Annual lecture by Joy Ezeilo, United Nations Special Rapporteur on trafficking in persons, especially in women and children, ‘Are States meeting their responsibilities to trafficked persons?’, Annual Lecture sponsored by Mallesons Stephen Jaques, 28 November 2011

Conference

The 2011 Annual Castan Centre Conference – ‘Human Rights 2011’ – was held on Friday 22 July 2011, at the Spring Street Conference Centre. The Conference was sold out one month in advance, with more than 200 people in attendance, and was a great success. Speakers 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 euthanasia – not striving for euthanasia’

5.1.4 Conference papers and public speeches


5. Centres

- S. Gray, Author talks on The Protectors at The Paperchain bookshop, Manuka, Canberra (5 July 2011); at Gleeebooks, 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 privates’ private: Social media, workplace surveillance and you’, LIV Young Lawyers’ Law Reform Committee, 8 September 2011
- D. Lindsay, ‘Digital Oblivion or Digital Eternity: Some Difficulties in Conceptualising and Implementing a Right to be Forgotten; Paper presented to International Privacy Discussion Forum, Johann Gutenberg University, Mainz, Germany, 23-24 June 2011
- B. Naylor, ‘Risk and trust: why do employers ask for a criminal history and what do they do when they have it?’ European Society of Criminology Conference, Vilnius, Lithuania, September 2011.

5.1.5 Courses offered

Postgraduate units

- R. Atuguba, International Human Rights Law and Development
- G. Boas, International Criminal Justice
- G. Boas, International Humanitarian Law
- J. Debeljak, Overview of International Human Rights Law
- K. Eastman, International Human Rights Law and Women
- I. Freckleton, Health Law and Human Rights
- P. Gerber, Protecting the Rights of Minorities, Marginalised and Vulnerable People
- R. Ingleby, Current Problems in Family Law
- S. Joseph, International Covenant on Civil and Political Rights
- S. Joseph, Terrorism and Human Rights
- S. Kneebone, Forced Migration and Human Rights
- B. Schabas, Genocide in International Law
- A. Ward, Comparative Bills of Rights

Undergraduate units

- R. Alexander, Parents Children and the State
- H. Askola, International Human Rights, (Prato program)
- G. Boas, International Laws of Armed Conflict
- G. Boas and P. Morrissey QC, International Criminal Law
- C. Campbell, Law and Discrimination
- S. Gray, Indigenous Peoples and the Law
- F. Hurn, Law, Gender and Feminism
- S. Joseph, International Human Rights
- J. Kyriakakis, International Criminal Law
- A. McBeth, International Human Rights Law and Practice
- T. Penovic, Human Rights in Australian Law
- R. Sifris, International Law

Short courses, seminars and training programs

- J. Kyriakakis, ‘The International Criminal Court’, VCE High School Teacher training conducted at Social Education Victoria, Melbourne, 16 September 2011

5.1.6 Submissions

- 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 and Constitutional Affairs Committee regarding the Inquiry into the Intelligence Services Legislation Amendment Bill 2011, March 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


A. Fletcher, Submission to the National Human Rights Action Plan on the Government’s Draft Baseline Study, (with S. Joseph), August 2011

A. Fletcher, Submission on Commonwealth Government’s Issues Paper: A Statutory Cause of Action for Serious Invasion of Privacy, October 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. Joseph, Submission to the Office of the High Commissioner for Human Rights on behalf of the Castan Centre on the Human Rights Committee’s Draft General Comment 34 on Freedom of Expression, 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, Submission to the Commonwealth Parliament on the Australian Capital Territory (Self Government) Amendment Bill, March 2011

S. Joseph, Submission to Commonwealth Parliament on the Amendments to the Character Test, with Azadeh Dastyari (50% contribution), May 2011

S. Joseph, Submission to the SARC Committee on the Review of the Victorian Charter of Rights and Responsibilities 2006 (Vic) with Erica Contini and Marius Smith (33% contribution), June 2011

S. Joseph, Submission to the Independent Media Inquiry, November 2011


S. Kneebone, Submission to inquiry into the agreement between Australia and Malaysia on the transfer of asylum seekers to Malaysia, (with M. O’Sullivan and T. Penovic), 15 September 2011

B. Naylor, Submission to the House Standing Committee on Social Policy and Legal Affairs on the Crimes Legislation Amendment (Powers and Offences) Bill 2011 (February 2012)


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

5.1.7 Publication

Books


S. Gray, The Protectors, a journey through whitefella past (Allen & Unwin, 2011)


B. Naylor, Co-editor (with Julie Debeljak, Inez Dussuyer and Stuart Thomas) Monitoring and Oversight of Human Rights in Closed Environments (Monash University Law Faculty 2012)


R. Sifris, ‘An International Human Rights Perspective on Detention Without Charge or Trial: Article 9 of the International Covenant on Civil and Political Rights’ in Bernadette McSherry and Patrick Keyzer, Dangerous People: Policy, Prediction, and Practice (Routledge, 2011)

Articles

5. Centres


Other Publications


13 | Faculty of Law
5.1.8 Media

- S. Kneebone, Guest Editor of a Special Edition of Refugee Survey Quarterly on ‘Governance Beyond Boundaries’
- M. Smith, ‘Swaziland, where it’s good to be the king’, Castan Centre for Human Rights Law Blog, WordPress, 29 April 2011

5.1.8 Media

- 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’, 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 Renz) 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 Annie Gastin, ABC Territory Radio, on ’The Protectors’, 18 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?’, 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
- S. Joseph, Radio 3CR, interview on Occupy Melbourne, 28 October
- S. Joseph, Radio Australia, interview on the Occupy movement, 3 November
- 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
- 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
- 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
5. Centres

5.1.9 Research projects

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 ($90,000), 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 entitled ‘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, 2008 – 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, forthcoming, 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), 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), 2009-2012

Research Consultancies

- J. Debeljak and M. Castan– Draft and submit three law reform proposals in the areas of Indigenous child welfare, closed environments and human trafficking for the 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
- 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 $26,507.50 (2011-)

5.1.11 Student Programs

a. Global Internship Program

The Castan Centre global Internship Program selected 10 interns for the following organisations with funding from the Student Mobility Fund, Daniel and Danielle Besen, Sylvia & Michael Kantor, the Dara Foundation, the Nordia Foundation, the Finkel Foundation and the DVC Education Fund:

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

An information session on the program was held for students at Monash University Clayton. The global interns also underwent cross-cultural training prior to their internships, conducted by cross-cultural expert Maria Dimopoulos of Myriad Consulting.

b. In-House Internship Program

During 2011 we selected 11 interns for the Centre’s in-house Internship Program covering the summer break and both semesters. This program provides community-minded Monash law students the opportunity to assist the Centre in developing and implementing its suite of human rights programs.

5.1.10 Visiting fellows

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)
c. Charter of Rights Moot

Victorian Charter of Human Rights and Responsibilities Moot, with Law School teams competing from Monash University, La Trobe University, Melbourne University, Victoria University and Deakin University, was sponsored by Clayton Utz and held at Clayton Utz and the Court of Appeal from 15-22 August. A Melbourne University team was the winner of the 2011 Moot.

d. Human Rights Essay Competition

The Castan Centre sponsored the 2011 Writing for Human Rights Essay Competition for Victorian year 10, 11 and 12 school students. The topic for 2011 was ‘Social media is free speech gone mad’. This competition is held to engage young people with the law and legal debate through current human rights, social and political issues. Seventy nine essays were received from students and prizes for first, second, third and a schools prize were awarded at the 2011 Costello Lecture. The competition prizes were provided by the Office of the Deputy Vice Chancellor for Education.

e. Advanced Professional Practice

Advanced Professional Practice in the LLB subject ‘Advanced Professional Practice’ in conjunction with Holding Redlich. (Clinical convenor R. Hyams, Castan Centre liaison Adam McBeth)

f. The Aurora Project

Eleven interns were placed at a number of bodies, including native title representative bodies, the Australian Human Rights Commission and the Cape York Institute. The centre’s Deputy Director M. Castan and Manager M. Smith interviewed all the applicants from Monash, La trobe, Deakin and Victoria Universities and assisted Aurora personnel with selection of appropriate interns and recipient bodies. In addition they continued administration, financial control and editing duties in regard to this project.

5.1.12 Student Supervisions

a. PhD

– Majed Alfaisal, ICC Crimes of Aggression: A Legal Analysis from the Middle East (G Boas)
– Olivia Ball, All the way to the UN: Is petitioning a UN human rights treaty-body worthwhile? (P. Gerber)
– Narumon Changboonmes, The role of Human Rights to Protect Children on the Move to Thailand (S Kneebone)
– Brad Crammond, The ‘Right’ Kind of Health: Justice, Health Inequalities and Social Determinants of Health, (Patrick Emerton)
– Azadeh Dastyari, Out of Sight, Out of Right?: Extraterritorial processing of Refugees by the United States on the Caribbean Sea (P. Emerton with A. McBeth and S. Kneebone)
– Sina Etzazian, Ambiguities regarding the prerequisites for the exercise of self-defence (G. Boas)
– Bryan Keon Cohen, The Mabo Litigation (M. Castan)
– Kushanthi Harasgama, An investigation of the theoretical justifications for Australia’s laws against the financing of terrorism, (P. Emerton)
– Bridget Lewis, Human Rights and Climate Change (M. Castan with N. Nagtzaam as main supervisor)
– Brendan Loizou, Determining Native Title (M. Castan)
– Marika McAdam, Strengthening the human right of freedom of religion and belief by protecting freedom from religion (S. Joseph)
– Engi Messiah, Rule Against Double Jeopardy in Criminal Law (J. Kyriakakis with B. Naylor as main supervisor)
– Kathryn O’Bryan, Indigenous Water Rights, M. Castan
– Len O’Neill, Anarchism and the Liberal Criminal Justice System, P. Emerton
– Maria O’Sullivan, The ‘Ceased Circumstances’ clause under Article 1C(5) of the 1951 Refugees Convention, S. Kneebone
– Walter Robles, Empowering Filipino Migrant Workers through labour education (S Kneebone with K Mlodzo as main supervisor)
– Ronli Sifris, Conceptualising Restrictions on Abortion and Involuntary Sterilisation Procedures as Torture or Cruel, Inhuman or Degrading Treatment (S. Joseph with B. McSherry as main supervisor) (completed 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)
– Caroline Aebersold, Investment Law and Human Rights Law (S. Joseph)
– Brendan Ashdown, The Role and Importance of PARENTS PATRIAE PRINCIPLES in the Superior Courts of Victoria (T. Penovic, with Susan Barkeshal Thomas)
– Mark Gumbleton, Extended common purpose rule governing complicity in crime (S. Gray)
– Melba Kapesa, Mining Corporations and Human Rights (S. Joseph)
– Mel Keenan, The Western Legal Response to Sorcery on PNG (M. Castan with G. McClelland)
– 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)
– Lisa Lee, Women, War and Gender-Based Justice (G Boas)
– Mark Morley, Religious Minorities in Pakistan (S. Joseph)
– Athena Nguyen, Domestic Fulfilment of International Legal Obligations under the UN Trafficking Protocol (S Kneebone and H Askola)
– Robin Smith, The paradox of legal responsibility: the application of corporate criminal liability to the state (G. Boas)
– Aderajaw Teshome, Ethiopia’s Response to Human Trafficking (S Kneebone)
5. Centres

c. Postgraduate Papers

– Bilal Hayee, Blasphemy Laws in Pakistan, (S. Joseph)

– Amanda Biffin, Aboriginal Customary Law, (M. Castan)

– Mark Dahdah, The role of the Special Tribunal for Lebanon in contributing to the rule of law in contemporary Lebanese society (P. Emerton)

– Sarah Griffin, The current failure to mandatorily implement bi-lingual models of pedagogy in remote Indigenous Australian primary schools in the Northern Territory contravenes international standards of human rights, (M. Castan)

– Nidhi Kulkarni, Sexual Violence in Conflict and the ICC (Summer 2010-2011 Research Paper), (J. Kyriakakis)

– Sean Mulcahy, Aboriginal Experience of the Law in the Southwest of Western Australia 1926-36, (S. Gray)

– Penelope Swales, Examine the interface between the modern Australian common law system, being the dominant legal system in place today, with the remnant Indigenous legal system still operational in some parts of the country, (S. Gray)


– Hester Kelly, And What of Men?... Transitional Justice and Male Victims of Sexual Violence in Conflict, (J. Kyriakakis with R. Sifris)

– Alexandra Lachal, Constitutional Indigenous Recognition: Eradicating Discrimination and ensuring equality, (M. Castan)

– Victoria Lanyon, The inclusion of terrorism within the jurisdiction of the ICC: a new way forward for customary international law?, (G. Boas with R. Sifris)


– Alice Meese, Kable and the Rule of Law: Guarding the Guardians, (P. Emerton)

– Helen Schneider, A better path to Land Justice? An analysis of Victoria’s traditional owner settlement Act 2010, (M. Castan with K. Mfodwo)

– Jim Serpless, Targeted Killing in Modern Warfare, (G. Boas with A. McBeth)

– Jeremy Shelley, Jurisdiction and Immunities Before the International Criminal Court: The True Scope and Effect of Article 27, (A. McBeth)


d. Undergraduate Papers

– Amanda Biffin, Aboriginal Customary Law, (M. Castan)

– Mark Dahdah, The role of the Special Tribunal for Lebanon in contributing to the rule of law in contemporary Lebanese society (P. Emerton)

– Sarah Griffin, The current failure to mandatorily implement bi-lingual models of pedagogy in remote Indigenous Australian primary schools in the Northern Territory contravenes international standards of human rights, (M. Castan)

– Nidhi Kulkarni, Sexual Violence in Conflict and the ICC (Summer 2010-2011 Research Paper), (J. Kyriakakis)

– Sean Mulcahy, Aboriginal Experience of the Law in the Southwest of Western Australia 1926-36, (S. Gray)

– Penelope Swales, Examine the interface between the modern Australian common law system, being the dominant legal system in place today, with the remnant Indigenous legal system still operational in some parts of the country, (S. Gray)

– Brian Yeom, Copyright Registration to protect Australian Indigenous artwork, (S. Gray)

e. Honours

– Chevi Bendet, Examining the Constitutional Validity Of Work Choices, (P. Emerton)

– Damien Bruckard, Robots and International Law Victoria Lanyon, Can the International Criminal Court represent a new way forward for customary international law, (G. Boas)

– Joseph Charles, Should corporations have human rights?, (S. Joseph)

– Alison Cole, Extraterritoriality, corporations & human rights, (P. Emerton)

– Ashleigh Cole, Aid/Watch: Charity, Advocacy and the Constitution, (P. Emerton)

– Lisa Harrison, Australia’s Refugee Resettlement Program: An “Orderly Queue”, (M. O’Sullivan)
5.2 Centre for Regulatory Studies

The Monash Centre for Regulatory Studies is a joint initiative between the faculties of Law, Business and Economics, Arts, Medicine, Nursing and Health Sciences and Pharmacy and Pharmaceutical Sciences. The aim of the Centre is to integrate regulatory theory and practice through a cross-disciplinary approach to postgraduate teaching and research programs.

The objectives of the Centre are to:

- promote interdisciplinary post-graduate teaching and higher degree research programs
- foster interdisciplinary innovative research in regulatory theory and practice
- encourage engagement in the national and international academic activities of the discipline and contribute to public policy making
- develop opportunities for research grants and other research funding
- make a significant contribution to the faculties participating in this initiative
- provide a scholarly presence, that is recognised nationally and internationally, in the interdisciplinary study of regulation
- undertake and encourage training, research and consultancy activities in the public and private sectors in Australia and overseas
- run seminars, workshops and short courses for the public and private sectors.

5.2.1 Structure

Advisory Board

Ms Penny Armytage, Secretary, Department of Justice
Mr Rex Deighton Smith, Director, Jaguar Consulting Pty Ltd
Mr Joe Dimasi, Commissioner, Australian Competition and Consumer Commission
Mr Stephen Glenfield, General Manager, Specialised Institutions Division, Australian Prudential Regulation Authority
Ms Wendy Peter, Australian Competition & Consumer Commission
Mr Warren Day, Regional Commissioner, Australian Securities and Investment Commission
Mr Stephen King, Professor, Business and Economics, Monash University

Members and Associates:

Prof Arie Freiberg  
(Dean, Faculty of Law)
Professor Graeme Hodge  
(Director)
Professor Bryan Horrigan  
(ADR Research, Faculty of Law)
Professor Christopher Arup  
(Faculty of Business and Economics)
Professor Justin Malbon  
(Faculty of Law)
Associate Professor Pamela O’Connor  
(Faculty of Law)
Dr David Cousins  
(Professorial Fellow, Faculty of Law)
Dr George Gilligan  
(Senior Research Fellow, Faculty of Business and Economics)
Dr David Lindsay  
(Faculty of Law)
Dr Karinne Ludlow  
(Faculty of Law)
Dr Bronwyn Naylor  
(Faculty of Law)
Dr Eric Wilson  
(Faculty of Law)
Ms Rowena Cantley-Smith  
(Faculty of Law)
Mr Stuart Kells  
(HDR, Student)
Mr Eric Windholz  
(HDR, Student)
Dr Sandra Webb  
(Business Development)
Ms Meli Voursoukis  
(Centre Administrator)

5.2.2 Staff members’ activities


- Hodge, G.A (2011) ‘Rethinking the State through the Lens of Regulatory Governance’ paper presented at the Globalisation, the Global Financial Crisis and the Reinvention of the State Conference, Brisbane, Bond University, 28 July


Submissions to Parliamentary committees


Invited Addresses


5. Centres

- Hodge, G.A (2011) ‘PPP policy word games’, in Public lives of PPP’s – policy, politics and public architecture, presented at the Issues and Directions in PPP research, RMIT’s School of Property, construction and Project Management and the Australian APEC Study Centre, RMIT University 20 July

- Hodge, G.A (2011) ‘Rethinking the State Through the Lens of Regulatory Governance’ Globalisation, the Crisis and the Reinvention of the State conference, Bond University, 29 July 2011


- Parker, C, “Processes Too Complicated to Explain”? Predicting the Impact of Criminalization of Serious Cartel Conduct in Australia’, presentation to Criminology Department, University of Maryland, 24 October 2011.


5.2.4 Monash courses and units offered

**Postgraduate Courses**
- Graduate Diploma in Regulatory Studies
- Master of Regulatory Studies

**Postgraduate Units**
- Regulatory fundamentals: concepts, constructs and context (LAW7313), 15, 16, 21, 22, March
- Comparative corporate governance (LAW7344), Tuesdays 1 March – 24 May

5.2.5 Publications

**Books/Monographs**

**Book Chapters**


- Bowman, D & Hodge, G.A (2011), ‘Refereed journal articles’


5.2.6 Grants and fundraising

Grants

Australian Government Cooperative Research Centre (CRCs), ‘Centre for Water Sensitive Cities’, ($680k), Pamela O’Connor and Graeme Hodge, Law Faculty Members

Professor Christine Parker, Associate Professor Caron Beaton-Wells, Associate Professor Fiona Haines, Ms Jane Kotey, Ms Janette Nankivell, Professor David Round, ARC Discovery Grant, Report on interviews with cartel conduct civil defendants (December 2011) The Cartel Project, University of Melbourne

Institute for Safety, Compensation and Recovery Research (ISCSR), ‘New trends in OHS regulation and Compensation’, ($113k), Professors Bryan Horrigan, Marilyn Pittard, Graeme Hodge and Christine Parker

Consultancies


Professor Christine Parker, Dr Kym Sheehan, Ms Jane Brophy, ‘Obstacles and opportunities for compliance: estate agents and conveyancers: A report on the Licensed Trader Study for Consumer Affairs Victoria, Monash Centre for Regulatory Studies ($50k)

Short courses, seminars and training programs


Training program : Monash Centre for Regulatory Studies providing ASIC with 2 Regulatory Studies Workshops, 9 & 30 March 2011

External event: conference, Complying with the new Australian Consumer Law, 15 March 2011

External event: executive workshop series, Regulatory Revelations: the professionals’ guide to the changing world of regulation, 24 March 2011

Training program : Monash Centre for Regulatory Studies providing Department of Transport- Legal with day 1 of 2, Regulatory Studies Workshops, 22 June 2011

External event: seminar, The War on Cartels: An evaluation of the impact of criminalisation on deterrence and compliance, Monash University, 22 July 2011

External event: masterclass, Effective regulation: learning from international experience, Monash University, led by Professor Colin Scott, 29 July 2011

Training Program: ‘Moving Forward – a panel discussion with Monash University academics and ASIC senior management’, ASIC, 23 October 2011


External Event, forum, Evidence Based Regulatory Reform, Monash University, 5 December 2011
5. Centres

5.3 Centre for the Advancement of Law and Mental Health

Based in the Faculty of Law at Monash University’s Clayton Campus, the Centre for the Advancement of Law and Mental Health (CALMH) was officially launched in June 2011. It reflects the University’s commitment to social justice and human rights through excellence in research and scholarship; and draws upon existing links with the Faculty of Medicine as well as the expertise of consumers, carers and mental health professionals in conducting research into the advancement of laws and policy relating to mental health issues.

Mental health policy has become increasingly important to governments around the world; and the recent coming into force of the Convention on the Rights of Persons with Disabilities has provided added impetus for a rethinking of mental health laws and regulatory frameworks.

The law regulates and shapes the way in which mental health care is delivered and the way in which individuals with mental and/or intellectual impairments are treated by both civil and criminal justice systems. Without appropriate laws in place to regulate access to mental health services, involuntary detention and treatment as well as diversion and sentencing programs for offenders with mental and/or intellectual impairments, there can be unnecessary deaths from suicides and other premature deaths relating to certain mental illnesses.

5.3.1 Director:
Professor Bernadette McSherry

Deputy Directors:
Professor Ian Freckelton SC
Dr Penelope Weller

Centre Personnel:
Kathleen Patterson, Executive Officer
Susan Klauber, Research Assistant
Sarah Lenthall, Research Assistant
Kay Wilson, Research Assistant

5.3.2 Advisory Board

- Associate Professor John Allan:
  NSW Chief Psychiatrist, Mental Health and Drug and Alcohol Office, NSW Department of Health, Australia
- Mr Eddie Bartnik:
  Commissioner, Mental Health Commission, Government of Western Australia
- Ms Cheryl Furner:
  Director, Legal Projects, Queensland Health’s Legal Unit, Australia
- Dr Aaron Groves:
  Executive Director, Mental Health Branch, Queensland Health, Australia
- Robyn Milthorpe:
  Assistant Director, Mental Health and Chronic Disease Division, Department of Health and Ageing, Government of Australia
- Lei Ning:
  Deputy Director, Victorian Mental Illness Awareness Council, Australia
- Professor Michael Perlin:
  Director, International Mental Disability Law Reform Project and the Online Mental Disability Law Program at the New York Law School, USA
- Professor John Petrlia:
  Director, Florida Criminal Justice, Mental Health and Substance Abuse Technical Assistance Center, USA
- Dr Ron Roesch:
  Director, Mental Health, Law and Policy Institute at Simon Fraser University, Canada
- Pat Sutton:
  Carer Consultant, Central North Adelaide Health Service, South Australia
- Dr Lesley Schoubroek:
  Director, Organisational Reform, Mental Health Commission, Government of Western Australia
- Dr Ruth Vine:
  Chief Psychiatrist, Department of Health, Victoria, Australia

5.3.3 PhD Student Supervisions

- Danielle Andrewartha’s thesis: Detecting lies, assessing credibility, and decision making by the jury
- Dr Laura Breedon’s thesis: The role of the law in the prevention and remedy of elder abuse
- Piers Gooding’s thesis: Supported decision making and mental health law
- Annegrêt Kämpf’s thesis: The UN Convention on the Rights of Persons with Disabilities and mental health in Australia
- Sarah McHutchison’s thesis: Patient participation in decision making pursuant to mental health legislation
- Elizabeth Richardson’s thesis: Mental health courts in Australia
- Ronli Sifris’ thesis: Conceptualising restrictions on reproductive freedom as torture or cruel, inhuman or degrading treatment
- Jamie Walvisch’s thesis: Sentencing offenders with mental illnesses – A principled approach

5.3.4 Public Events

‘There Must be Some Way Out of Here’: Why the Convention on the Rights of Persons with Disabilities is Potentially the Best Weapon in the Fight Against Sanism presented by Professor Michael Perlin at the launch of the Centre for the Advancement of Law and Mental Health on 2nd June 2011 at the Lionel Murphy Centre, Melbourne.
5.3.5 Staff Members’ Activities

Invited Keynote Presentations

- Bernadette McSherry, ‘Everything old is new again: Laws of preventive detention for ‘risky’ individuals’ New Paradigms, Old Challenges, Australian Community Support Organisation (ACSO), Melbourne, 11-12 October 2011

Conferences, Seminars and Workshops

- Jamie Walvisch, ‘Sentencing mentally Ill offenders in a Liberal Communitarian Society’ presented at the Crime, Justice and Social Democracy: An International Conference, School of Justice, Faculty of Law, Queensland University of Technology, 26-28 September 2011
- Penelope Weller (with Ruth Vine), ‘National Mental Health Statement of Rights and Responsibilities’ presented at the National TheMHS Conference, Convention Centre, Adelaide, 8 September 2011
- Penelope Weller, ‘Legal “Continuity and Change in Mental Health Law” Mental health legislation in Victoria Series, Parkville, Victoria 17 August 2011

*Research Triangle Institute International is an independent, non-profit research institute that provides research and technical services to government and commercial clients worldwide

www rti org page cfm About RTI

- Ian Freckelton, ‘Liability for Negligently Inflicted Mental Harm (Psychiatric Injury in Australia, Canada and the UK/Emotional Distress in the United States) in the 21st Century: International Perspectives’ presented at the 32nd International Congress of Law and Mental Health, International Academy of Law and Mental Health [Panel session: Medical treatment of patients unable to consent to treatment in comparative perspective], Humboldt University, Berlin, 17-23 July 2011
- Piers Gooding, ‘Supported Decision-Making: A New Era For Mental Health Law, Involuntary Psychiatric Treatment, And Disability Rights?’ presented at The Law, Medicine and the Public Good: Are We Putting Our Best Foot Forward?, 13th Greek/Australian International Legal and Medical Conference, May 2011
- Penelope Weller, ‘The Right to Mental Health’ presented at Lecture for Masters of Public Health and Human Rights, Alfred Hospital, Melbourne, April 2011
- Liz Richardson, ‘The Difficulties and Downsides of Mental Health Courts: Time to Pause and Reflect’ presented at ‘Should NSW have a Mental Health Court?’ The NSW Law Reform Commission and the Sydney Institute of Criminology Symposium, April 2011

Faculty of Law | 22
5. Centres

5.3.6 Monash units offered

Postgraduate Units

- LAW7207 Psychiatry, Psychology and Law, taught by Professor Bernadette McSherry in Semester 2.

5.3.7 Publications

Book Chapters


Refereed Journal Articles

- Kay Wilson and Penelope Weller, ‘Benevolent Paternalism or a Clash of Values: Motherhood and Refusal of Medical Treatment in Ireland’ (Spring 2011) 21 Journal of Mental Health Law 108-119

Editorials


Case Commentaries


Media


5.3.8 Awards

- Piers Gooding: Australian Bicentennial Scholarship, King’s College London, Menzies Centre for Australian Studies, School of Law, King’s College London.

5.3.9 Submissions

- Victorian Mental Health Bill 2010: Response to Draft Exposure
- The Victorian Mental Illness Research Fund (MIRF): Stakeholder Consultation Survey on research priority areas for the MIRF
- Victorian Law Reform Commission: Submission on the Review of Guardianship Legislation
- Austin Hospital: Respecting patient choices program: psychiatric advance directives national survey

5.3.10 Grants and Consultancies

- Victorian Department of Health, Review of the National Statement of Mental Health Rights and Responsibilities (May – November 2011)
5.4 Australian Centre for Court and Justice System Innovation (ACCJSI)

The Australian Centre for Court and Justice System Innovation (ACCJSI) is a research and teaching centre based at Monash University Law Chambers (MULC) in Melbourne, Australia. The Centre is a joint initiative between the Faculty of Law and the Australasian Institute for Judicial Administration (AIJA). It has a strong focus on non-adversarial justice research and practice, including facilitative, advisory and adjudicative forms of dispute resolution.

The Centre supports an overarching Australian approach of research into, and evaluation of, the fields of court administration, operation and innovation and non-adversarial justice. In addition, the national nature of the Centre with its links into policy, judicial and broader frameworks as well as links to international centres ensures that the research and evaluation framework is informed and relevant to modern dispute and justice settings.

Despite the short time since its establishment, the Centre teaches a number of courses in the Monash Law School; will play host to its first international intern in 2012; and hosts lectures and other public events inside and outside the university.

5.4.1 Structure

**Director:**

Professor Tania Sourdin

**Centre personnel:**

Alan Shanks,
Acting Centre Manager

**Advisory board:**

Professor Arie Frieberg,
Dean, Monash Law School, (ex-officio),
Dean of Law, CHAIR

Professor Tania Sourdin,
Director, ACCJSI (ex-officio)

Professor Sharyn Roach Anlieu,
School of Social and Policy Studies,
Flinders University (nominated, non-staff)

Ms Louise Glanville,
First Assistant Secretary, Attorney-General’s Department (nominated, non-staff)

Mr Greg Berman,
Director, Centre for Court Innovation (nominated, non-staff)

Ms Catherine Gale,
President, Law Council of Australia (nominated, non-staff)

Dr Graham Hill,
Executive Director (Courts), Department of Justice, Victoria (ex-officio, non-staff)

**Professor Sharyn Roach Anlieu,**

School of Social and Policy Studies, Flinders University (nominated, non-staff)

**Judge Phillip Misso,**

County Court of Victoria (nominated, non-staff)

**Professor Greg Reinhardt,**

Australasian Institute of Judicial Administration (nominated)

The Hon. Justice Mark O’Regan,
President, Court of Appeal, New Zealand (nominated, non-staff)

Mr Jeremy Gormly SC,
Chair, NADRAC (nominated, non-staff)

**Associates:**

Ms Lesley Coleman, BA, MBA,
Member Australasian Evaluation Society, Institute of Public Administration Australia

Mr Peter Condliffe,
Barrister and Mediator with expertise in research methodologies

**Public Lectures and Events**

**Public Lectures and Events**


- **Lecture by Professor Vicki Anderson,** Director, Psychology and Deputy Director Integrated Mental Health Program at Royal Children’s Hospital, Director, Critical Care and Neurosciences Research, Murdoch Children’s Research Institute and Professorial Fellow, University of Melbourne, ‘What can developmental neuroscience contribute to understanding the child witness?’, 10 November 2011

- **Book launch by Dr Becky Batagol,** Lecturer in Law at Monash University, and Professor Thea Brown, former Professor of Social Work, Head of the Department, Director of International Programs and Deputy Head and now Professor, Research, Faculty of Medicine, Nursing and Health Sciences, Monash University, *Bargaining in the Shadow of the Law: The Case of Family Mediation* (published in 2011 by Themis Press, an imprint of Federation Press), 10 November 2011

- **Lecture by Peter S Adler PhD,** President and CEO of The Keystone Center ([www.keystone.org](http://www.keystone.org)) which builds applied, consensus-based policy solutions to science-intensive energy, environmental and health-related policy problems, ‘Scaling Up: How We Can Meet the Future and Take on Bigger and Better Challenges’, 6 December 2011

5.4.3 Conference Papers and Public Speeches


- T. Sourdin, ‘Complaints Handling Hypothetical — 201’, presented at SOCAP Symposium, Sydney, 1 September 2011


5. Centres

5.4.4 Courses Offered

**Postgraduate Units**
- T. Sourdin, LAW7474 Collaborative Practice (Intensive) 10, 11, 12 November 2011
- T. Sourdin, LAW7475 Advanced Mediation: Skills and Theory for Accreditation A (Intensive) 2, 3, 4 November 2011
- T. Sourdin, LAW7476 Advanced Mediation: Skills and Theory for Accreditation B (Intensive), 16, 17, 18 November 2011
- T. Sourdin, LAW7071 Commercial Alternative Dispute Resolution

T. Sourdin also undertook revisions to the postgraduate program, which impacted on the following units:
- LAW7071 Commercial Alternative Dispute Resolution
- LAW7251 Negotiation and Mediation Skills
- LAW7312 Advanced Negotiation and Mediation Skills
- LAW7474 Collaborative Practice
- LAW7475 Advanced Mediation: Skills and Theory for Accreditation A
- LAW7476 Advanced Mediation: Skills and Theory for Accreditation B

5.4.5 Submissions
- T. Sourdin, ‘Submission on Pre-action Protocols’, submitted to the Senate Standing Committee on Legal and Constitutional Affairs (Legislation Committee)

5.4.6 Publications

**Book Chapters**

**Articles**
- L. Akin Ojelabi and T. Sourdin, ‘Using a values-based approach in mediation’ Australasian Dispute Resolution Journal (2011) 22 at 259

5.4.7 Media
- T. Sourdin, interview for ‘Getting to the bottom of complaints – and acting on what you find there’, Consumer Directions, June 2011 at 16

5.4.8 Research Projects
- Recipient of Department of Justice (Vic) Grant, Establishment of Australian Centre for Court and Justice System Innovation, 2010-2013 ($100,000 over four years), T. Sourdin
- Recipient of Australasian Institute of Judicial Administration (AJA) Project and Research Committee Grant, ‘Pre-action Protocols and Obligations to Attempt to Resolve Disputes Before Commencing Civil Proceedings’ 2011-2012 ($60,000), T. Sourdin
- Recipient of Attorney-General's Department, Grants to Australian Organisations Program (GAP), ‘Creating an Australian Civil Justice and ADR Clearinghouse’, July 2011-June 2012 ($70,000), T. Sourdin

5.4.9 Consultancies
- T. Sourdin, Conciliation Program, NSW Children’s Court Registrars, 21-22 July 2011 Parramatta
- T. Sourdin, Interdisciplinary Collaborative Training, LIV, Melbourne, 2, 3 August 2011
- T. Sourdin, Interdisciplinary Collaborative Training, LIV, Melbourne, 4, 5 August 2011
- T. Sourdin, Mediation, LEADR, Sydney 8-12 August 2011
- T. Sourdin, Negotiating Information Access, Office of Information Commissioner, Brisbane, 22 and 23 September 2011
- T. Sourdin, UNSW Senior Academics, Managers and Directors Conflict Resolution, Conflict Skills Course, Sydney, 10, 11 October 2010
- T. Sourdin, Dispute Resolution, Sydney University Postgraduate Subject (Law) 7, 8, 14, 15 October 2011
- T. Sourdin, Negotiating Information Access, Office of Information Commissioner, Brisbane, 29 and 30 November 2011
- T. Sourdin, Mediation, LEADR, Melbourne, 22-25 November 2011
5.5 Commercial Law Group (CLG)

Formed in 2010 with a strong emphasis upon the commercial dimensions of private, comparative, and international law in academic research and teaching, the Commercial Law Group (CLG) has more than 20 Faculty members and adjuncts. Its members are actively engaged in commercial specialisations, electives, and core subjects in the LLB, JD, and LLM courses as well as research degree (HDR) supervisions.

The Commercial Law Group concentrates upon a broad range of commercial research and teaching areas of relevance to state, national, and international audiences. Its main program areas and professorial leaders are:

- Corporate Governance, Responsibility, and Sustainability (Professor Bryan Horrigan);
- Corporate Workplace and Employment Law and Policy (Professor Marilyn Pittard);
- Competition, Consumer, and Trade Law and Policy (Professor Justin Malbon and Professor Jeff Waincymer);
- Intellectual Property and Innovation Law and Policy (Professor Ann Monotti); and
- Taxation, Superannuation, and Venture Capital Law (Professor Stephen Barkocy).

5.5.1 2011 Highlights

The main achievement of the CLG as a whole in 2011 has been to broaden its base of membership, range of research activity, and visibility within the University and the wider community as a critical mass of commercially relevant expertise. Its members have contributed significantly to the Faculty’s teaching expertise in a wide variety of commercially relevant areas of law and practice. They have also contributed significantly to the Faculty’s scholarly and professional publications in those areas of law and practice, as detailed under ‘Publications’ in this report.

In addition, the members of the CLG undertake a significant number of research supervisions at LLB Honours, JD, LLM, and HDR levels, research grant and consultancy projects, and research management and administrative roles for the Faculty and its centres and groups. CLG members also made significant contributions to national law and policy in 2011. Highlights include the following:

- Professor Barkocy’s appointment to the Australian Government’s Venture Capital Committee of Innovation Australia;
- Professor Bryan Horrigan’s expert panel work for the Australian Government leading to reform of three major pieces of national economic regulation;
- Adjunct Professor Ray Finkelstein QC’s appointment to head the Australian Government’s Independent Inquiry into the Media and Media Regulation; and

5.5.2 Members

Chair:
Professor Bryan Horrigan
Leader: Corporate Governance, Responsibility, and Sustainability

Group leaders:
Professor Marilyn Pittard
Leader: Workplace and Employment Law and Policy
Professor Justin Malbon
Joint Leader: Competition, Consumer, and Trade Law and Policy
Professor Jeff Waincymer
Joint Leader: Competition, Consumer, and Trade Law and Policy
Professor Ann Monotti
Leader: Intellectual Property and Innovation Law and Policy
Professor Stephen Barkocy
Leader: Taxation and Venture Capital Law and Policy

Members:
Professor Mark Davison
Area: Intellectual Property and Contract Law

Professor Adrian Evans
Area: Professional Ethics, Conflicts of Interest, Money Laundering, Integrity Testing.

Professor Tania Sourdin
Area: Commercial Dispute Resolution, Alternative Dispute Resolution, Mediation, Litigation and Case Management Processes, Collaborative Law, Legal Processes, Online Dispute Resolution & High Conflict Behaviour

Associate Professor John Duns
Area: Competition Law, Corporate Law and Insolvency.

Associate Professor Rob McQueen
Area: History of Corporations Law, Banking Law

Associate Professor Pamela O’Connor
Area: Property and Regulation

Dr Colin Campbell
Area: Regulation of Corporate Power and the Regulation of Privatised Power Exercised by Companies

Dr Rebecca Giblin
Area: Intellectual Property (Particularly Copyright Law) with a Focus on Technology Regulation

Dr Sirko Harder
Area: Comparative Law, German Law, Law of Obligations, in Particular Remedies
Private International Law

Dr Karinne Ludlow
Area: Innovation Law and Policy, Torts Law

Dr Gerald Nagtzaam
Area: Australian and International Environmental Law and Specifically Climate Change, Sustainability, and Environmental Regulation.

Dr Normann Witzleb
Area: Private Law and Contract Law, Comparative Law, Corporations Law, European Law, German Law, Privacy Law, Remedies Law & Torts Law

Dr Karen Wheelwright
Area: Corporate Director/Officer Liability; the Corporation as Employer (Labour Law, OHS)

Rowena Cantley Smith
Area: Australian and International Environmental Law and Regulation, Australian and International Energy Law, Regulation and Policy, Climate Change Law, Public and Private International Law , Commercial Law, Dispute Resolution and Litigation

Kathryn James
Area: Taxation Law, Administrative Law
5. Centres

Kwame Mfowdo
Area: Natural Resources Law and Policy
(Petroleum; Fisheries, Water, Offshore
Minerals), Resource Access Agreements and
Policy (Petroleum; Fisheries, Water, Offshore
Minerals), International Investment Law, Trade
Law Issues and Natural Resources

Lisa Spagnolo
Area: International Commercial Law,
Corporate Insolvency, Restitution

Adjunct members

The Honourable Ray Finkelstein QC
Area: Commercial Law (insolvency,
competition law, class actions)

Professor Rowan Russell
Area: Commercial law (banking and finance
and capital markets)

5.5.3 Courses Offered

- Professor Stephen Barkocz
  Taxation Law, Advanced Taxation Law,
  Principles of Taxation

- Professor Mark Davison
  Trademarks and Commercial Designations,
  International and Comparative Trademark
  Law, Principles of Contract Law

- Professor Adrian Evans
  Professional Practice

- Professor Bryan Horrigan
  Comparative Corporate Governance,
  Corporate Social Responsibility

- Professor Justin Malbon
  Negotiation and Mediation Law, Consumer
  Law, Corporations Law, Australian
  Commercial Law, International Trade Law

- Professor Ann Monotti
  Patenting for Commercialisation, Patents for
  Invention

- Professor Marilyn Pittard
  Forward with Fairness: New Labour Law,
  Current Issues in Workplace Law, Workplace
  Bargaining and Agreements Law, Electronic
  Workplace Law, Contemporary Workplace
  Relations Law.

- Professor Tania Sourdin
  Collaborative Practice, Advanced Mediation:
  Skills and Theory for accreditation A,
  Advanced Mediation: Skills and Theory for
  accreditation B

- Professor Jeff Waincymer
  Commercial Alternative Dispute Resolution,
  International Commercial Arbitration,
  Problem-Based Learning Seminar

- Associate Professor John Duns
  Comparative Competition Law, Corporations
  Law, Restrictive Trade Practices

- Associate Professor Rob McQueen
  Australian Banking Law, Introduction to Legal
  Reasoning, Corporations Law

- Associate Professor Pamela O’Connor
  Principles of Property Law, Advanced
  Property Law

- Dr Colin Campbell
  Law and Discrimination, Torts B

- Dr Sirko Harder
  Remedies in Commercial Disputes,
  Remedies, Contract A, Contract B, Principles
  of Contract B

- Dr Rebecca Giblin
  Contract B, Principles of Contract B,
  Intellectual Property: Copyright & Design and
  Intellectual Property: Copyright, Theory &
  Design

- Dr Karinne Ludlow
  Biotechnology and the Law, Civil Procedure

- Dr Gerry Ngatzaam
  International Environmental Law,
  Environmental Law, Torts A, Australian Legal
  Reasoning and Methods

- Dr Normann Witzeb
  Corporations Law, International Perspectives
  on Torts Law, Principles of Torts.

- Dr Karen Wheelwright
  Contemporary Workplace Relations Law,
  Corporations Law, Law of Employment,
  Collective Labour Rights

- Rowena Cantley Smith
  International Law, Principles of Contract A

- Kathryn James
  Introduction to Legal Reasoning, Property
  Law A

- Kwame Mfowdo
  Contract A, Contract B, International
  Law of The Sea I: Marine Resources and
  Management, Research and Writing

- Lisa Spagnolo
  Property B

5.5.4 Publications

Books

- Stephen Barkocz, Core Tax Legislation &
  Study Guide (CCH Australia Limited, 14th ed,
  2011)

- Stephen Barkocz, Foundations of Tax Law
  (CCH Australia, 4th ed, 2011).

- Robin Woellner, Stephen Barkocz, Shirley
  Murphy, Chris Evans and Dale Pinto,
  Australian Taxation Law (CCH Australia Ltd,
  21st ed, 2011)

- John Duns and Arlen Duke, Competition Law:
  Cases & Materials (LexisNexis Butterworths,
  3rd ed, 2011)

- Adrian Evans, Assessing Lawyers’ Ethics: A
  Practitioner’s Guide (Cambridge University
  Press, 2011)

- Rebecca Giblin, Code Wars: 10 Years of P2P
  Software Litigation (Edward Elgar, 2011)

- Michael Tilbury, Michael Gillooly, Elise
  Bant and Normann Witzeb, Remedies:
  Commentary and Materials (Thomson
  Reuters, 5th ed, 2011)

Books edited

- Adrian Evans, Ross Hyams, Mary Anne
  Noone, Helen Yandell, Judith Dickson,
  Bernard Welch, Mia Campbell and Rob
  Cortina (eds), Lawyers Practice Manual
  (Thomson Lawbook Co, 2011).

- Ingeborg Schwenzfer and Lisa Spagnolo,
  Towards Uniformity: the 2nd Annual MAA
  Schlechtriem CISG Conference (Eleven

Book chapters

- Stephen Barkocz, ‘Double tax agreements’ in
  Stephen Barkocz (ed), Foundations of
  Taxation Law (CCH Australia, 4th ed, 2011)
  875-890.

- Stephen Barkocz, ‘Trusts’ in Stephen
  Barkocz (ed), Foundations of Taxation Law

- Colin Campbell, ‘Judges, bias and recusal in
  Australia’ In H. P. Lee (ed) Judiciaries in
  Comparative Perspective (Cambridge

- Rowena Cantley-Smith, ‘Moving towards a
  sustainable, low carbon-intensive energy
  future. Key challenges and responses’ in
  Lillian Wylie and Pascaline Winand (eds),
  Energy and the Environmental Challenge:
  Lessons From the European Union and
  Australia (Peter Lang, 2011) 393-406.

- Rowena Cantley-Smith, ‘Towards Uniformity:
  the 2nd Annual MAA Schlechtriem CISG
  Conference (Eleven International

- Rowena Cantley-Smith, ‘Sustainable regulation:
  moving towards environmentally sound energy
  markets’ in Lillian Wylie and Pascaline
  Winand (eds), Energy and the Environmental
  Challenge: Lessons From the European
  Union and Australia (Peter Lang, 2011) 99-129.


Pam O’Connor, ‘Regulating by covenant: is it sustainable?’ in Penny Carruthers, Sharon Mascher and Natalie Skead (eds), Property and Sustainability: Selected Essays (Thomson Reuters, 2011) 127-143.


Normann Witzleb, Natalie Skead, ‘Mapping and embedding graduate attributes across the curriculum’ in Sally Kift, Michelleanson, Jill Cowley and Penelope Watson (eds), Excellence and Innovation in Legal Education (Lexis Nexis Butterworths, 2011) 31-68.

Book Reviews


Journal articles


Rebecca Giblin, ‘Physical world assumptions and software world realities (and why there are more P2P software providers than ever before)’ (2011) 35(1) The Columbia Journal of Law & the Arts 57-118.

Sirko Harder, ‘Convergence and divergence in private international law’ (2011) 7(3) Journal of Private International Law 649-663.


Sirko Harder, ‘Statutes of limitation between classiﬁcation and renvoi – Australian and South African approaches compared” (2011) 60(3) International and Comparative Law Quarterly 659-680.


Lola Ojelabi and Tania Sourdin, ‘Using a values-based approach in mediation’ (2011) 22(4) Australasian Dispute Resolution Journal 258-266.


Tania Sourdin, ‘Thematic Issue – Reporting on Research from the NADRAC Forum – Introduction’ Australasian Dispute Resolution Journal (February 2011), 22(1) at 3


5. Centres

5.5.5 Expert Commentary, Public Speeches, and Conference Presentations


5.5.5.5 Expert Commentary, Public Speeches, and Conference Presentations

- Bryan Horrigan, ‘Rethinking Regulation and Directors’ Duties’, International Corporate Governance Conference: Corporate Governance and Value-Creation, Sydney, 2011
- Karinne Ludlow, Invited keynote speaker at Road Management Workshop at Russel Kennedy on the Road Management Act 2004 (Vic), December 2011
- Karinne Ludlow, Today Show, Channel 7 live television interview on GM food, 25 August 2011

5.5.6 Submissions to Parliament


5.5.7 Research Projects

ARC Discovery Projects

- Professor Bryan Horrigan, ‘The High Court of Australia’s International Impact and Engagement – Enhancing Judicial Accountability and Australia’s Place in International Law’ (2006-2012)
- Professor Sharon Christensen (Queensland University of Technology), Professor Douglas Fisher (Queensland University of Technology), Associate Professor Pamela O’Connor, Professor William Duncan (Queensland University of Technology), Dr Nicola Durrant (Queensland University of Technology), ‘An integrated legal regime for a sustainable carbon cycle’ (2010-2012)

ARC Linkage Projects

- Dr B Naylor, Professor Marilyn Pittard, Assoc Prof Moira Paterson and Dr Georgina Heydon, ‘Living Down the Past: Criminal Record Checks and Access to Employment for Ex-offenders’ (2009-2012)
- Associate Professor Anne Marsh (Faculty of Art and Design, Monash University), Dr Daniel Palmer (Faculty of Art and Design, Monash University), Dr Melissa Miles (Faculty of Art and Design, Monash University), and Professor Mark Davison, ‘Photography as a crime’ (2009-2012)

Academy of Social Sciences in Australia (ASSA)

- Dr Karinne Ludlow, ‘Innovation and nonadopter rights: comparing the Australian, Canadian and the United States response to pure economic loss suffered by non-adopters of innovative technologies’ (2010-2011)

AusAID

- Professor Jeffrey Waincymer, ‘Problem based trade and investment law program’ (2010-2013)

Australian Learning and Teaching Council (ALTC)

- Professor Adrian Evans, ‘Strengthening Australian legal education by integrating clinical experiences: identifying and supporting effective practices’ (2010-2012)
6. Curriculum

6.1 Undergraduate Courses

Monash Law School enrolled 2,614 undergraduate students in 2011, 496 of these were commencing students.

Double degrees were a popular option for school leavers as well as internal and external transfers. Below are the courses which were available to students in 2011, including the Bachelor of Laws and various double degrees.

- Bachelor of Laws
- Bachelor of Aerospace Engineering/Bachelor of Laws
- Bachelor of Arts/Bachelor of Laws
- Bachelor of Biomedical Science/Bachelor of Laws
- Bachelor of Business (Banking and Finance)/Bachelor of Laws
- Bachelor of Commerce/Bachelor of Laws
- Bachelor of Engineering/Bachelor of Laws
- Bachelor of Music/Bachelor of Laws
- Bachelor of Performing Arts/Bachelor of Laws
- Bachelor of Science/Bachelor of Laws
- Bachelor of Medicine/Bachelor of Surgery/Bachelor of Laws

Monash Oakleigh Legal Service

6.2 Clinical Legal Education

The Monash Law Faculty Clinical Program was the first clinical legal education program offered in Australia. Over its proud 37 year history, the program has enriched the education of thousands of Monash law students (including distinguished alumni) and helped provide much needed legal support to tens of thousands of clients in the community.

The Clinical Legal Education Program consists of four separate clinical units offered at several community locations outside of Monash. The program offers students the opportunity to engage in supervised legal practice in a community legal service with clients whose needs cannot be dealt with by legal aid or the private profession.

The program engages students by its innovative approaches to learning and enhances their university experience. It also develops core vocational skills, including:

- Client interviewing and legal diagnosis skills;
- Oral and written legal negotiation skills;
- Accountability and time-management skills; and
- Mediation and court advocacy skills.

Clinical Legal education in the Law Faculty has evolved from a program involving a small number of student volunteers providing only telephone advice in the 1970s into a renowned clinical program involving over a dozen staff and approximately 175 law students annually.

The four clinical units may be taken as stand alone electives or in sequence:

1. Professional Practice – LAW5216. This unit is undertaken by 40 students per semester. Students must be available for four months for several days per week (notwithstanding normal University vacation periods) to look after low-income clients’ legal problems.

2. Family Law Assistance Program – LAW5217. This unit requires students to conduct litigious family law dispute files. Students also provide a ‘duty lawyer service’ one day a week at the Federal Magistrates’ Court at Dandenong, attending to immediate case matters and facilitating the making of court orders.

3. Law Reform and Community Development – LAW5218. This unit provides students with the opportunity to experience and to understand the impact of the law on disadvantaged members of the community. Students strengthen particular communities by working with marginalised groups through law reform, advocacy and community legal education.

4. Advanced Professional Practice – LAW5149. This unit is open to students who have completed LAW5216 to an acceptable level and wish to specialise in a particular area of socio-legal service. It contains the following clinics, most of which are embedded in ‘partner’ organisations:

- Joint Sexual Assault Clinic (with the South-East Centre Against Sexual Assault), offering legal services to victims of sexual assault.
- Human Rights Clinic (with the Castan Centre for Human Rights at Holding Redlich, Solicitors), involving human rights litigation.
- Migration Law Clinic in conjunction with South Eastern Migration Service at Springvale Monash Legal Service
- Family Violence Clinic in conjunction with Springvale Monash Legal Service
- Commercial Law Clinic (with Moores Legal, Solicitors), involving commercial legal work for ‘not-for-profit’, welfare and charitable organisations.

The program offers students exposure to a divergent mix of legal, cultural, linguistic and socio-economic factors and delivers a holistic educational experience which requires them to draw upon their legal ethics and compassion as much as their legal knowledge. This enriches their own personal perspectives and stands them in good stead for future employment. It also makes them ‘more rounded’ individuals. Many former students continue to commit to volunteering at the clinics or to providing pro bono assistance elsewhere long after they have completed their degree.
6. Curriculum

6.3 Postgraduate Courses

Masters Degrees
- Master of Laws
- Master of Laws (Legal Practice, Skills and Ethics)
- Master of Laws (Commercial Law)
- Master of Laws (Human Rights)
- Master of Laws (Intellectual Property Law)
- Master of Laws (International and Comparative Law)
- Master of Laws (Workplace and Employment Law)
- Master of Laws (Juris Doctor)
- Master of Commercial Law
- Master of Human Rights Law
- Master of Intellectual Property Law
- Master of International and Comparative Law
- Master of Regulatory Studies
- Master of Workplace and Employment Law

Graduate Diplomas
- Graduate Diploma in Law
- Graduate Diploma in Law (Commercial Law)
- Graduate Diploma in Law (Human Rights)
- Graduate Diploma in Law (Intellectual Property)
- Graduate Diploma in Law (International and Comparative Law)
- Graduate Diploma in Law (Workplace and Employment Law)
- Graduate Diploma in Local Government Law
- Graduate Diploma in Regulatory Studies

Graduate Certificates
- Graduate Certificate in Forensic Studies (Accounting)
7. Equity and Diversity

7.1 Membership 2011

Dr Bronwyn Naylor
Director, Equity (Chair)

Ms Liz Anderson
Manager, Human Resources (ex officio)

Ms Susan Barkehall-Thomas
Student Equity Officer (ex officio)

Ms Heather Beeching
Disability Contact Officer (Staff) (ex officio)

Dr Julie Debeljak
Indigenous Student Liaison Officer (ex officio)

Ms Jasmine Kahan/Ms Viven Tabe
Undergrad Student Representative (nominated) (alternating)

Ms Sana Malik
Postgraduate Student Representative (elected)

Ms Janet White
Faculty Manager (ex officio) or nominee

Ms Dianne Wiltshire
Disability Contact Officer (Students) (ex officio)

The Equity and Diversity Committee in the Faculty of Law is Chaired by the Director Equity. It reports to Faculty Board three times a year, and meets four times a year. The Director, Equity is a member of the Faculty Executive Committee. The Chair represents the Faculty on the University Faculty Social Inclusion Co-ordinating Committee. She attended this Committee’s meetings and reported back to the Faculty Committee.

7.2 Faculty Priorities

The Faculty’s priorities for 2011 were:

1. Access and attrition: Indigenous students in law

Promoting awareness of ways to access tertiary study, including the development of pathways via one or more units in another faculty. In 2011, the University re-structured the Centre for Australian Indigenous Studies (CAIS). The academic arm of CAIS was subsumed into the Faculty of Arts, and the indigenous students engagement arm was subsumed into the portfolio of the Deputy Vice Chancellor (Education) and re-named the Yulendj Indigenous Engagement Unit (“Yulendj Unit”).

During this year of transition, the Yulendj Unit focused on consolidating its work, and reviewing its programs, including the programs that the Faculty were involved in during 2010 (“Yarning Up” and “Hands on Monash”). Consequently, no indigenous student programs relating to university familiarisation or recruitment occurred in 2011. However, programs are expected to run in 2012.

Nevertheless, the Faculty continued to actively support and assist the Yulendj Unit.

The Faculty also has an Indigenous Student Liaison Officer, who is a member of the academic staff. The Liaison Officer acts as a contact point for Indigenous students, to provide mentoring and advice regarding academic progress, career path development and personal issues. The Liaison Officer also works with the Yulendj Unit to organise and run Indigenous student programs relating to university familiarisation or recruitment. The Liaison Officer continued to offer support in relation to individual students’ needs, and continued to plan for future indigenous student programs with the Yulendj Unit.

The Student and Academic Services Manager works closely with the Yulendj Unit on matters regarding admission of Indigenous students to ensure that these applicants are considered during the selection process.

Of more general application, we have also worked closely with the Faculty’s Peer Mentor Program to support all new students once they arrive at the Faculty. The 2011 Peer Mentor Program ran well with 450 new first year students undergoing 2011 Peer mentor Orientation during O week and being matched in 65 groups according to course and home post code to facilitate integration, social networking and assist in student transition and retention.

2. Access for students from low SES backgrounds

As part of the University’s Social Inclusion Strategy (discussed in more detail below) we have engaged in analysis of pathways into Law and retention and success rates, and of avenues for enhancing access to Law for low SES students, in conjunction with the University’s Senior Management Team Social Inclusion (SMTSI). We have reviewed sources of financial support for low SES students, both to enhance access and to support retention through study. In 2011, the Monash Law School Rural and Equity Bursaries were awarded to 8 eligible students from regional/remote areas. The peer mentor program discussed below is comprehensive thereby assists low SES students, and the ‘Wellbeing and the law’ lecture series given to all first year students aims to reach all equity groups whilst avoiding labelling or segregation. All commencing students also have an ‘Improving your Employability’ lecture embedded in their curriculum to enable equitable information dissemination.

3. Improving staff awareness and education in equity issues

As a priority in 2011, we have worked to ensure that staff are aware of equity requirements and the support available to staff and students in the Faculty and across the University. Strategies and successes have included:

- provision of key information on Faculty websites, and in staff and student Gazettes;

- increased information distribution during enrolment periods targeting students

- targeting senior academic staff, supervisors, and Committee members for completion of online training.

The University requires all staff to complete a short online training module in equity and diversity responsibilities. Accreditation must be renewed every three years.
7. Equity and Diversity

7.3 Activities in 2011

1. Social Inclusion Strategy
   As a result of work undertaken by the Faculty in 2010 to increase access for Indigenous and low socio-economic status (SES) student groups required by the University’s Social Inclusion Strategy, the Faculty adopted a number of changed methods for the offering of places in 2011. These methods included changes to the Special Entry Access Scheme (SEAS) for eligible equity groups. The Faculty applied SEAS bonus points to student aggregate study scores to bring students within the clearly-in range in order to increase the proportion of disadvantaged students, whilst maintaining the necessary high standard of entry. The Monash Law School Rural and Equity Bursaries were awarded to 8 eligible students from regional/remote areas. A further 3 Monash University Law Scholarships were awarded to double degree students in either Arts/Law or Engineering/Law from rural or remote areas. To further assist in increasing access of low SES students, the Faculty joined the Vice-Chancellor’s Access Monash initiative in 2011 for 2012 admissions. It is hoped that these strategies will assist Law in the achievement of its low SES and Indigenous student targets for 2012.

The Faculty also put much effort into developing structures for, and an understanding of, support needed for low SES and Indigenous students once enrolled in the Faculty. These include the use of allocated central funding to support low SES students studying law. Several initiatives were trialled in this regard, including introducing Peer Assisted Study Sessions (PASS) Program into a mandatory first year unit and the employment of a Project Officer to undertake projects aimed at understanding how to support the low SES student experience, by assessing what student support structures are needed for increased numbers of our students who could be challenged by the transition to university studies and the ongoing demands of managing academic study as well as financial hardship.

The physical layout of, particularly the entrance to, the law building was addressed in 2011 with the drawing up of plans to renovate to provide better disabled access to the building.

The Faculty Committee name was changed to include ‘social inclusion’ because it was considered that this is very different to both equity and diversity and that it was important to include the different elements which are covered by ‘equity’ and ‘diversity’ as well as ‘social inclusion’ in the Committee name. The Faculty’s Committee name is now the ‘Equity, Diversity and Social Inclusion Committee’.

2. Student equity initiatives
   Scholarships and equity bursaries are publicised by the Faculty marketing team during school visits and recruitment events and by Student Services staff during academic program information sessions and Open Day.

   The Student Experience Manager is involved in raising awareness through close contact with students and liaison with the Law Students Society.

   The Research Services Convenor/HDR coordinator also promotes the existence of scholarships and equity bursaries as part of regular emails to HDR students.

   The Faculty provides equity bursaries in two categories to provide financial support for students.

   Monash Law School Rural and Equity Bursaries were awarded to eight eligible students from regional/remote areas in 2011.

   Law Mobility Equity Bursaries have been developed to extend eligibility to students participating in a student mobility program in the Faculty including the Prato and Malaysia programs and student internships, where students are from one or more of Monash University’s defined equity or personal disadvantage groups as assessed by the University Scholarships Department. 15 students were awarded this bursary in 2011.

3. Student mentoring
   The Faculty’s Lawrie McCredie Student Support Program includes a successful Peer Mentor Program for first year students (with second year and above student mentors), and has extended support for language and learning skills and incorporated mental health/resilience training into the first year law program.
4. Recruitment and career development for Australian Aboriginal and Torres Strait Islanders

As part of its implementation of the Social Inclusion Strategy, the University established the Indigenous Engagement Unit (IEU) in 2010 to support current and prospective Indigenous students and staff, and to assist Indigenous people to gain access to employment opportunities at Monash.

The Law Faculty has one self-identified indigenous member of staff.

For all Faculty recruitment of professional staff up to and including HEW 9, vacancies are referred to the IEU team to check their database for suitable candidates, prior to advertising.

5. Equal Opportunity for women in the workplace

The Faculty carries out or supports a number of activities promoting equal opportunity for women in the Faculty, including:

- Equal opportunity and well-being services offered by the University are listed on the staff intranet;
- University programs to facilitate women’s careers through the mentoring program are promoted through global emails and through Gazette notices;
- The International Women’s Day lunch is promoted each year, with faculty funding for a number of places (and quick uptake of those places);
- Academic promotions information sessions are held for female staff;
- At the time of recruitment, information about equal opportunity for women in the workplace is provided via information on the recruitment site.

6. Disability and the provision of supports for staff and students

The Faculty has a Disability Contact Officer (Staff), as well as a Disability Contact Officer (Students). The Faculty provide an Adaptive Technology Room for students with disabilities, offering such supports as Voice Recognition Software. The Student Disability Contact Officer also facilitates student contact with the University Disability Liaison Unit.

Gazette notices are regularly published reminding staff to schedule breaks during longer lectures, and to promote the resources of the Disability Liaison Unit and of the Faculty and University’s Counselling services.

New staff are provided with information regarding resources available for staff with a disability in the induction manual and verbally when commencing employment. The sessional staff induction booklet also includes references to disability resources and the availability of the Faculty’s counsellor.

7. Student mental health initiatives

The Faculty is undertaking a great deal of work and activities aimed at improving student mental health. The Faculty’s Student Experience Manager and Law School Counsellor delivered Part I (Health, Wellbeing and Performance) and Part II (Performance@Law) lectures as part of the ‘Wellbeing and the law’ series to all streams of the two compulsory first year units in 2011, focusing on mental health awareness, wellbeing, neuroplasticity and resilience strategies for first year students. A ‘Mindfulness for Academic Success program was piloted in law in 2011, in conjunction with Health, Wellbeing and Development central department. Enrolled students reported a reduced anxiety and improved study habits.

The Faculty’s Student Experience Manager Law School Counsellor wrote a research paper based upon the results of a student survey administered over 2009, which was published in 2011 (Lester, England and Antolak-Saper, ‘Monash Law School Experience, Risks to health and wellbeing in the first year’ (2011) 36 Alternative Law Journal 47-49).

8. Regular communication on equity and diversity matters

The Faculty’s online Gazette carries regular notices, including notices:

- Reminding staff to check dates of religious holidays when setting assessment dates
- Promoting cultural and religious awareness for staff, eg through celebrations at staff morning teas
- Inviting staff to the International Women’s Day Lunch and similar events
- Promoting Mental Health First Aid Training
- Promoting staff completion of the equity online training program
- Promoting inclusive teaching practices to staff, such as provision of alternative format materials, and scheduling of breaks during longer lectures
- Promoting the resources of the Disability Liaison Unit and of the Faculty and
- University’s counselling services for students.
8. International

8.1 Recruitment of International Students

Recruiting international students to Monash Law throughout 2011 continued to be challenging due to the sustained strength of the Australian dollar and – as a consequence – the increased attraction of less expensive Law Schools, especially in the United Kingdom. In some of our key countries for recruiting students there is also the growing threat of local government investment in new domestic educational options, enhancing the appeal and opportunity for students to pursue their tertiary studies at home.

Singapore and Malaysia

Recruitment activities in 2011 focused predominantly on Singapore and Malaysia. Throughout the year the Faculty maintained a strong presence in each country, participating in several student recruitment events in Singapore, Kuala Lumpur, Subang Jaya and Penang, briefing agents and institutional staff, participating in exhibitions and conducting student and parent interviews. Recognition status is being sought for the Monash JD graduate who wish to practise law in Singapore. Significant progress has been made in this context with the first Singaporean Monash JD graduate receiving an exemption from the Singaporean Law Ministry late in the year, for the purpose of admission to the Singapore Bar.

Hong Kong

Faculty staff visited Hong Kong on three occasions in 2011, twice to meet key agents and institutional staff and participate in International School careers fairs and also to provide academic representation at a briefing to HR partners from Hong Kong’s top tier legal firms in relation to possible internship programs. Due to various changes including the introduction of the new Hong Kong Diploma of Secondary Education, the recruitment potential amongst high achieving Hong Kong students in 2011 diminished but is expected to increase significantly in 2012.

Thailand

Initiatives to attract Thai students to postgraduate law programs at Monash in 2011 continued to be undermined by the strong Australian dollar and the lower English language requirements and shorter, more cost effective bridging programs available for some other masters programs, including in the UK.

Canada

Monash Law staff attended recruitment events at several universities in Canada and also met with the National Committee on Accreditation (NCA) to provide further profile for the Monash JD and its recognition for practice in Canada.

India

In 2011 Monash Law was represented at ADS and AUSAID events in India by Offshore Recruitment staff.

China

The Faculty was represented in China in May 2011 by the Marketing Manager who undertook agent briefings in Beijing and Shanghai and spoke at a school in Chengdu.

Other Activities

As in previous years, Monash Law hosted two significant briefing events for international agents and counsellors. The Career Counsellors Visit in November and Agent Awareness Week in early December provided participants with an opportunity to tour Monash Oakleigh Legal Service and partake in role-play activities with current students. An engaging panel discussion was also held involving current and past law students from several source countries.

8.2 Engagement with Partner Institutions

City University of Hong Kong

In June, the Faculty hosted 35 students from City University of Hong Kong as part of that university’s Global Legal Education and Awareness Programme (G-LEAP). The students spent four weeks at the Law Chambers, studying an intense unit, in Intellectual Property. The unit was coordinated by Dr Stephen Gray, with administrative assistance by Ms Cathy Meredith.

The students visited the Clayton campus on their first day for a welcome lunch hosted by Director International, Professor Marilyn Pittard, and organised tours of the campus, the Law Faculty and the Law library. During their four week stay they participated in arranged visits to Parliament House and the County Court.

8.3 Overseas Programs

Prato

The 2011 Prato Law program, under the direction of convenor Dr Heli Askola, was successfully completed with strong numbers of Monash LL B students participating and a substantial increase in the postgraduate student numbers. We had strong support from our international partners, with involvement by the following Universities in 2011: Arizona State University, USA, Bar-Ilan University, Israel, Osgoode Hall Law School, York University, Canada, Université Paris XI, University of Windsor and University of Tilburg. Students were able to choose from 14 international and comparative law units, with professors from the partner institutions, as well as distinguished guest lecturers, teaching into the program.

Malaysia

The 2011 Malaysia Law program was once again successful under the direction of the convenor Dr Normann Witzleb. Based at the Monash Sunway Campus just outside Kuala Lumpur, six units were taught by Monash staff as well as staff from the University of Malaya, City University of Hong Kong and National University of Singapore. The units were primarily international and comparative in focus, with an emphasis on the Asia-Pacific region. In addition to the Monash LL B students, students from our partner institutions were enrolled: University of Malaya, University of Windsor, City University of Hong Kong and University of Paris XI.
8.4 Internships

The Faculty continues to assist students to take part in overseas internships through the Student Mobility Fund which supported the following Faculty managed internships in 2011: the United Nations Global Contact, New York; Castan Centre Global Internships with the International Commission of Jurists; Human Right First, New York; Israel Democracy Institute, Jerusalem; International Women’s Rights Action Watch; Asia Pacific, Kula Lumpur and Geneva; the Human Rights Advocacy Centre and Oxfam, South Africa. The Faculty managed internships were also popular amongst students with two Malaysian Law firms, Skrine and ZICOlaw, taking Monash interns, as well as Herzog Fox & Neeman, Israel.

The Law Faculty approved support for student organised internship including London School of Economics, England; Allen & Overy, Hong Kong; Human Rights Advocacy, Accra, Ghana; International criminal tribunal for the former Yugoslavia, The Netherlands; Australian Permanent Mission to the UN, Geneva, Switzerland; Joseph Tan Jude Benny Lawyers, Singapore; Simmons & Simmons, Japan; Lee & Lee, Singapore; The Law Temple, Ghana; Office of the High Commission for Human Rights, Belgium, Brussels; Watson, Farley and Williams LLP, Singapore; Community Justice Centre (CJC), Australia and Tilleke & Gibbins Consultants Ltd, Vietnam.
9. Law School Activities

9.1 Events

To celebrate the start of the academic year and welcome new students to the faculty, a cocktail function was held in the Law Library on Monday 21 February where over 300 first year students and their families joined Monash Law School staff.

The evening was hosted by the Associate Professor Pam O’Connor and included speakers from the Law Students’ Society and the Student Ambassador Program. The evening provided the opportunity for new students and family members to meet staff outside of the lecture theatre.

Grand Opening of Monash University Law Chambers

Monash University Law Chambers moved to a new specially-designed premise located in the heart of the city’s legal precinct at 555 Lonsdale Street, adjacent to Owen Dixon Chambers and within walking distance of the Magistrates, County and Supreme Courts.

On Tuesday, 15 November the Grand Opening of the new venue was held. Monash law alumna The Honourable Chief Justice Marilyn Warren AC officially opened the venue. The opening was attended by over 150 guests including many prominent Monash alumni.

2011 Great Law Week Debate ‘Social media is free speech gone mad’

As part of the annual Law Week celebrations, Monash Law School alumni and current law students took part in the annual Great Law Week Debate held at BMW Edge, Federation Square in front of a packed audience on Wednesday 18th May.

The debate was moderated by Monash alumnus Will Fowles and the topic was ‘Social media is free speech gone mad’. The alumni team argued the negative and were lead by team captain and barrister Shivani Pillai joined by Supreme Court Judge The Honourable Lex Lasry QC and Liberty Sanger, Principal and director of Maurice Blackburn.

The student team consisted of team captain Kiran Iyer who was a Grand-finalist at the 2008 Australasian Debating Championships, Fiona Prowse 2010 world debating championship winner and 2009 MAD president Damien Bruckard. The students argued strongly for the affirmative and were announced the winners at the end of the debate by current MADS president Luke McGreavy.
Monash Law School Prize Ceremony
(Prizes for 2010 academic year)

Monash Law School held the annual Prize Ceremony. The ceremony acknowledges the achievements, hard work and dedication of the faculty’s students for the 2010 academic year. Once again the event was held at the ANZ Pavilion at the Victorian Arts Centre.

Distinguished Monash Law alumnus, The Honourable Justice Tony Pagone of the Supreme Court of Victoria reflected on his journey to becoming a Judge in the Supreme Court, His Honour said “he wasn’t a strong student in university but luck gave him many opportunities”. Justice Pagone also reminded guests that a law degree can lead to a variety of career paths and that law is a service to the community.

His Honour presented the Supreme Court Prize to Marianna Parry and the first ever Chief Justice Marilyn Warren Prize for Best Master of Laws (Juris Doctor) student which was won by Robert Stilling.

The financial reward students receive with prizes are made possible through the generous support of the many organisations, within and outside the legal profession who join us in recognising the efforts of our high achievers and we would like to thank all our sponsors for this support.

Justice Pagone with Supreme Court Prize winner, Marianna Parry

9.2 Public Lectures

Commercial Court CPD Seminar Series

Throughout 2011 the Supreme Court of Victoria, the Victorian Bar, the Law Institute of Victoria and Monash Law School worked together to host a series five seminars relating to the Commercial Court.

Topics ranged from

- Who to Blame: Proportionate Liability under Victorian Legislation
- Class Actions – Expert Insight on Managing Practical Challenges and Procedural Issues
- Contract Construction: Ambiguity of Terms and Reference to ‘Surrounding Circumstances’
- Apprehended Bias after British American Tobacco Services Limited v Laurie [2011] HCA 2
- Duties of Directors and Officers beyond James Hardie and Centro – Where to from here?

The seminars were supported by the Honourable Justice Jennifer Davies and Justice Tony Pagone with strong help from the Victorian Bar and the Law Institute of Victoria.

The lectures are extremely popular and often sell out. Throughout 2011 they were held at Monash University Law Chambers and The Lower Banking Chambers at the Galleria Building in Melbourne.

8th Fiat Justitia lecture

The Faculty of Law was honoured to welcome the Solicitor-General of Australia, Mr Stephen Gageler SC to present the 2011 Fiat Justitia Lecture on Wednesday 24th August. The topic of the lecture was ‘Common law statutes and judicial legislation’.

The patron, The Honourable Michael Black AC welcomed over 100 guests to the lecture. The Eighth Fiat Justitia Lecture was the first opportunity that members of the legal fraternity, including many Monash Law alumni had to visit our new Monash University Law Chambers in Lonsdale Street.
9. Law School Activities

18th Lucinda Lecture
‘Interpreting the constitution – words, history and change’.

The 18th Annual Lucinda lecture was held on Tuesday 20th September at Monash University Clayton Campus. The Honourable Robert French AC, Chief Justice of The High Court of Australia presented ‘Interpreting the constitution – words, history and change’.

The lecture was a sell out with guests including The Honourable Michael Black, The Honourable Justice Paul Cronin, The Honourable Ray Finkelstein, The Honourable Nahum Mushin and Mr Brian Walters SC.

The Lucinda Lecture series is named after the steam paddle vessel SS Lucinda on which important revisions to the earliest drafts of the constitution were made. Each year the Lucinda Lecture aims to canvass fundamental issues in Australian Constitutional law.

Rule of Law

The Faculty of Law and the Australasian Institute of Judicial Administration recently held a lecture presented by The Rt Hon. The Lord Igor Judge, Lord Chief Justice of England and Wales, titled the ‘Rule of Law’.

The Rt Hon. the Lord Igor Judge discussed several important historical stories which showed the importance of the rule of law. The judge’s lecture inspired guests to think hard about the outcomes from leaders such as Hitler and Nelson Mandela.

Judge said “that the rule of law protects us all, society, the community as a whole, and each individual in society from anarchy, from the law of the jungle, from the triumph of the wildest and the worst, and the rule of tyranny.”

Judge also said “the rule of law has served us well. It has not made, and it could not make, a perfect society. But without it our societies would be catastrophically worse.”

Dean of the Faculty of Law, Professor Arie Freiberg AM said “Those who attended the lecture gained considerably from Lord Judge’s experience in the judiciary. The rule of law is fundamental to our decision making both in our careers and our lives.” said Professor Freiberg.
9.3 Book Launches

**Book Launches**

- *Current trends in the regulation of same-sex relationships* By Dr Paula Gerber and Dr Adiva Sifris. Held on Thursday 5 May at Victorian Equal Opportunity and Human Rights Commission 204 Lygon Street, Carlton, this book was launched by The Honourable Catherine Branson QC.


- *'In review' celebration of scholarship* On Monday 17 October at Monash University Law Chambers Professor Bryan Horrigan showcased the major books published by Monash legal academics between 2009 to 2011. Sir Gerard Brennan gave a major address on the contribution of academic scholarship to the broader legal profession.

9.4 Media Involvement

Monash law school staff were involved in various forms of media coverage in 2011 including press, radio and online media stories. Staff discussed a wide range of law issues ranging but not limited to the controversy surrounding the accuracy of the crime statistics, plain cigarette packaging, mental health laws, the legality of ‘the slap’, terror laws and Osama Bin Laden's death.

*The Age* and *ABC radio* covered a majority of media stories quoting Monash law School staff. *The Conversation* also publicised opinion pieces from Monash staff.

Professor Sarah Joseph was active in the media with contributions to *The Age*, *The Punch*, *Crickey*, *The Wire* and *ABC* for various topics including occupy movement, social media and human rights and bullying tactics.

Other staff members who commented on various topics throughout 2011 included but were not limited to Professor Arie Freiberg, Dr Gideon Boas, Dr Bronwyn Naylor, Dr Paula Gerber, Dr Patrick Emerton, Professor H.P. Lee and Associate Professor Jonathan Clough.

---

**Monash Law School Costello Lecture**

The annual Costello lecture was presented by Monash alumnus and prominent barrister Mr Brian Walters SC at the Monash University Law Chambers on Thursday 15th September.

Mr Walters has a passion for human rights advocacy and the environment. He is the former president of Liberty Victoria and has written and spoken widely on human rights issues. He has also campaigned on numerous environmental issues, from the Franklin River in Tasmania to the forests of East Gippsland.

The lecture titled *Engaging our Vision of rights* discussed the need to consider more than the rights of humans in this period of climate change. Mr Walters said “Human rights and respect for the environment cannot be separated.”

The closing statement from Brian’s lecture summed up both an inspiring and informative lecture.

“Let us work to give rights to the poor, the powerless, to the indigenous, to women, to those who are marginalized, and build respect for all sectors of our community. For human rights to resonate most richly today, we should recognize the rights of all life – the rights of the Earth on which we all depend, the rights of the community of life of which we humans form part.”

This annual lecture is devoted to ethics and social justice and is named after Monash alumnus and World Vision Australia CEO Reverend Tim Costello AO, who presented the first lecture in 2001.

Tim Costello AO, speaking at the annual Costello Lecture.
10.1 Advancement

Fundraising

Ongoing engagement with alumni continues to be the long-term focus to seek opportunities to support students through equity bursaries, undergraduate and postgraduate scholarship and prizes for student support initiatives. Through philanthropic support and engagement events with specific alumni groups, the Faculty raised over $448,000 from January to December 2011, a 32% increase compared to funds raised in the previous year.

In areas of alumni engagement, the Faculty Dean, Professor Arie Freiberg AM presented to senior alumni of major law firms in Melbourne on the Law School and its future directions. The Law School Foundation held events with specific alumni groups such as the past Supreme Court Prize Winners and Law Review Editors and have plans to engage with alumni at the Victorian Bar and past LSS presidents and members in 2012.

2011 marked a significant milestone for two of the longest serving members on the Law School Foundation – Ms Evelyn Danos and Mr Ian Pyman who have confirmed their resignations. The Faculty thanks Ms Evelyn Danos and especially the Chair of Monash Law School Foundation, and Deputy Chancellor of Monash University, Mr Ian Pyman, for his leadership and support of all alumni, students, donors and staff at the Monash Law School.

The board nominated Ms Jane Hodder as the new Chair of the Foundation, as approved by the Vice-Chancellor. Ms Jane Hodder will commence her Chairmanship as of 1 January 2012.

10.2 Monash Law School Foundation Board

The effort and commitment of the Board members and the Chair, Mr Ian Pyman, is much appreciated by the faculty. The 2011 Foundation Board:

Mr Ian Pyman (Chair)  
Principle, Business Redirections

Professor Arie Freiberg AM  
Dean, Faculty of Law  
Monash University

Ms Evelyn Danos  
Executive Director  
James Richardson Corporation Pty Ltd

Ms Jane Hodder  
Partner, Freehills

Mr Mark Hayes  
Partner, Maddocks

Ms Robyn Campbell  
Director, Campbell and Dean Management Consulting

Mr Will Fowles  
Principal, Piper Capital

Mr Ron Fairchild  
Vice-President (Advancement)  
Monash University

Professor Ann Monotti  
Associate Dean, Postgraduate studies,  
Faculty of Law  
Monash University

Professor Marilyn Pittard  
Associate Dean, Postgraduate, Faculty of Law  
Monash University

Mr Geoffrey Murray  
Director, Treasury  
Monash University

Mr Eric Cheng  
Philanthropic Relations Coordinator,  
Advancement  
Monash University

In attendance:

Mrs Janet White  
Faculty Manager, Faculty of Law  
Monash University

Ms Melinda Maskiell  
Director, Capital Campaigns, Advancement  
Monash University

Ms Kate Daley  
Marketing and Recruitment Coordinator,  
Faculty of Law  
Monash University

10.3 Alumni Relations

Monash Law School held a range of events for Law Alumni which provided opportunities to connect with the Faculty through contact with past students, current staff and current students. These events keep a strong link between Monash University and our alumni and have been outlined in the ‘Law Activities’ section.

In 2011 several Monash alumni received awards including Senior Australian of the year and Distinguished young alumni award.
Monash University Distinguished Alumni Awards

Monash University celebrated the leadership and achievements of its alumni and student communities at the 2011 Distinguished Alumni Awards at which two law graduates and a current law student received awards.

The awards were held on 8 September at the Regent Theatre’s Plaza Ballroom in front of about 400 alumni, staff, supporters, students and friends.

Australian diplomat Mr Kevin Magee (BA(Hons) 1983, LLB 1985) was presented The Distinguished Alumni Professional Achievement Award. Technology entrepreneur, business executive and sought-after speaker Ms Tan Le (BCom(Hons), LLB(Hons) 2000) received the 2011 Distinguished Young Alumni Award and current Bachelor of Arts and Bachelor of Laws student and youth ambassador with World Vision Mr Chris Varney was awarded the Alumni Student Award.

Monash alumnus and former staff member named Senior Australian of the Year

Monash alumnus and distinguished legal and human rights advocate Professor Ron McCallum AO (BJuris 1970, LLB (Hons) 1972) was the 2011 Senior Australian of the Year.

Prime Minister Julia Gillard presented Professor McCallum with the honour at a special celebration on Australia Day eve. He received the award for his commitment to pursuing equal rights for working people across the world.

Professor McCallum taught in the Monash Faculty of Law from 1974 to 1992. He is the first totally blind person to have been appointed to a full professorship at an Australian university. He was the foundation Professor in Industrial Law at the University of Sydney and from 2002 served five years as Dean of Law.

He is the Chair of the UN Committee on the Rights of Persons with Disabilities and Chair of Radio for the Print Handicapped of New South Wales Cooperative. He is also one of two Deputy Chairs of Vision Australia and has recently been appointed to the Federal Government’s National People with Disabilities and Carers Council.

The National Australia Day Council received more than 2,400 nominations from the public for this year’s awards.
11. Student Activities

11.1 Monash Law Students’ Society

Founded in 1964, the Monash Law Students’ Society (or LSS) is the largest student organisation within Monash University. Over the past few years the LSS has worked hard to strengthen and maintain the high level of service it provides Monash Law students. In 2011 the LSS represented over 2400 members, with this figure increasing year on year. The LSS is proud of its ongoing ability to enhance the student experience within the Faculty of Law and work with them to ensure that Monash is producing the best possible graduates. The LSS is voluntarily staffed and managed by over 40 committee members. This committee works hard to ensure that a large range of events and services are offered as a supplement to the formal academic education provided through the University. These include careers advice, educational support, competitions and social activities to provide both personal and professional development. The LSS has five main portfolios which allow for a clear view of the society as a whole.

Activities

The Activities portfolio offers a large number of events for students at a range of price points to help promote a collegiate atmosphere amongst the law student body. The LSS firmly believes that the activities portfolio serves a highly important function of ensuring that students are integrated into their degree. The LSS therefore runs numerous activities throughout the year including First Year Camp, O-Week, First Year Dinner, BBQs, Intro Night, Pub Crawls, Valedictory Dinner, Year Camp, O-Week, First Year Dinner, BBQs, River Cruise and Law Ball.

In 2011, the First Year Program, which involves a Peer Mentoring program run in conjunction with the faculty, as well as an annual camp and dinner, was more popular than ever with record numbers. The Activities portfolio and social discourse are an integral part of the Monash Law lifestyle. Social inclusion is a very important part of the University experience and the Monash LSS has always prided itself on its ability to provide multiple opportunities to students to engage with their cohort. The activities portfolio was central to the ability of students to take time out from their studies and mentally tune-out and enjoy their university lifestyles throughout the year.

Careers

The Careers portfolio aims to ensure that all students are well-informed as to the many different careers paths available to them and provides targeted services to ensure that Monash graduates are competitive in the job market. The Careers portfolio primarily disseminates information via the production of publications. The O Week Guide is produced to ensure that all first years are given a broad understanding of the many services offered to them by the LSS, faculty and university. This is then followed by Clayton’s Law, a regularly published magazine which includes interest pieces across a broad range of topics, written by law students. The Seasonal Clerkship Guide is fast becoming the most valuable publication of the LSS. This guide gives a broad overview as to the process of applying for seasonal clerkships, as well as firm profiles, relevant articles about corporate life and all the dates a student might need regarding applications. In supplementing these guides, the LSS also provides seminar series’ running across both semesters, to allow students to partake in interactive forums with a range of firms, organisations and NGO’s. These seminars ensure that students are given broad exposure to many different individuals in the legal profession and a chance to ask questions of them.

Competitions

The competitions portfolio is an integral part of the LSS and is going from strength to strength. In 2011 the LSS saw a large increase in numbers of competitors involved. The competitions offered by the LSS are:

- General Moot (Senior and Junior Division)
- First Year Moot
- International Humanitarian Law Moot
- Negotiation
- Witness Examination
- Client Interview
- Letter Writing
- Paper and Oral

The winning team from each competition represents Monash in the Australian Law Students’ Association (ALSA) National Championships, always ranking highly amongst its peers.

Education

The LSS is working constantly, in conjunction with the Faculty, to provide students with the best possible legal education. The Student Tutorial Program continues to provide students with supplementary tutorials, run by paid, high achieving students, which provides regular reinforcement and practical applications of the materials taught in lectures.

The LSS also continues to represent students on a number of faculty committees to ensure that there remains effective communication between the faculty and its students. Finally, as part of our commitment to equality, the LSS has continued to expand its equity scholarship to ensure that all students are given access to the materials required for law and that nobody suffers disadvantage due to their socio-economic background.

In 2011, the Just Leadership program again expanded, becoming the key Monash Law program for nurturing future leaders. The program runs a series of seminars by guest speakers, imparting wisdom from all of their experiences and challenges.

Juris Doctor

In 2010, the Monash LSS has expanded its committee to better function across the two campuses and cater for the increasing number of Juris Doctor (JD) students. The creation of a JD portfolio has also provided better access for JD students to the resources of the Monash LSS. The Society aims to grow its presence at the new 555 Lonsdale St campus and accommodate the very different lifestyle of postgraduate students into the future.

International Students

The LSS has further expanded its role with International Students in 2011. In 2010, the LSS absorbed the ILSA and added a new member to the Education portfolio to represent International Students.

Looking Forward

The LSS is very proud of the relationship it has with professional entities, the faculty and the student body; and looks forward to continuing to strengthen and expand into the years ahead. We are incredibly thankful for the support offered to us by the Faculty.
11.2 The Student Experience

To honour and maintain his work, the Lawrie McCredie Student Support Program continues to offer a range of important programs designed to assist Monash Law students to enhance their student experience, build community and help to develop leadership, communication skills and other valued graduate attributes. The key elements of the program include leadership development, acknowledgement of academic excellence, community engagement and service, peer-to-peer mentoring, pastoral care, counselling and careers advice.

The Law School Peer Mentor Program is a joint faculty and Law Students’ Society (LSS) initiative piloted in 2008. It has continued to develop in 2011 with the program now fully integrated into Faculty Welcome Day during O’ Week. ‘Peer mentor orientation’ saw around 400 commencing students meeting up into their 45 mentor groups after the official faculty welcome and then exploring Clayton Campus with their Mentors whilst completing tasks designed to orient them to Monash.

There was an exploration of the Clayton eateries, Careers, Health and Wellbeing Hubs and general socialising, culminating in the ever pervasive LSS BBQ. Students reported feeling welcome to Monash Law and supportive networks were established to assist their transition into the tertiary learning environment.

The 90 volunteer Mentors are second year and above law students, who exercise initiative and leadership skills in their role, learning to work as a team and developing interpersonal skills as they contact their mentees throughout their first year of Law School to share experiences, advice, information and referrals to the range of support services and facilities offered at Monash. Events are held to bring these groups together to further enhance relationships and create community within the faculty.

The Law School Ambassador Program, launched in 2007 to supplement the Vice Chancellor’s Ancora Imparo leadership Program, continued to develop over 2011. Community-minded law students receive leadership and project management training and a variety of developmental experiences to facilitate personal growth. Community outreach and engagement projects are designed by students under their own initiative, and offer those experiences to the wider law school student community. A stand out event managed by several Ambassadors was Voice of Experience – Women in the Law Cocktail Night, with opportunities to hear from The Hon. Rosemary Anne Balmford, Victoria’s first female Supreme Court Justice and The Hon. Felicity Hampel, Judge of the County Court. Students could then network with a number of individuals from a range of varied organisations to gain insight into women’s journeys in law-related career paths. This Ambassador project event was attended by 100 law students and 35 representatives from a diverse range of industries and was a great night. In another highlight, the Ambassadors enjoyed an Alumni Sunset Seminar address by the Hon. Justice Shane Marshall, providing a rare, fascinating personal and professional insight into the world of law in the Federal Court.

The Law School High Academic Achievers’ Program, launched in 2008 also developed in 2011, aiming to reward and inform high achieving students of the possibilities open to them in the areas of higher degrees by research, academia and other non-traditional career pathways. Voice coaching, stress management, emotional intelligence training and other developmental activities are provided to our outstanding students to engage and inform. Two High Achievers’ 2011 Program highlights were a visit to meet Hon. Justice Maxwell, President of the Court of Appeal and an invite from Phil Lynch, Director of the Human Rights Law Resource Centre, to attend a discussion about human rights lawyering at the Human Rights Law Resource Centre, providing students with the opportunity to speak with a number of leading human rights practitioners about strategic litigation, advocacy and policy work to promote human rights, both at the domestic and international levels.

Two important curriculum initiatives have developed from this Student Support Program delivered to all first year students through a mandatory first year unit. Enhancing your Employability is a law specific careers information and industry awareness lecture. Piloted in 2010, it further developed in 2011 and provides efficient, equitable and timely careers information dissemination, unique to the Monash Law School experience. Also unique to Monash, the Performance@law lecture series have been running since 2009 and are aimed at providing law-specific mental health awareness information, delivering brain-based strategies for enhancing performance during students’ time at Monash Law. Mindfulness is introduced to all first year Monash law students through this initiative and some elected to join the Mindfulness for Academic Success Program, piloted in 2011 to overcome law specific student concerns.

All students retain access to both in-house specialist counsellors, offering confidential advice, strategies and ongoing support to students in a convenient and timely manner and to Learning Skills Advisors, based in the Law Library, addressing academic literacy and study technique concerns.

These initiatives conceived and delivered under the Lawrie McCredie Student Support Program are designed to enhance the Law School’s core curricular activities and support the vocational and student experience provided by existing programs and activities such as the Monash Oakleigh Legal Service and Springvale Community Legal Service. An update of activities and the original five year plan is available at: www.law.monash.edu.au/alumni/lawriemccredieprogram.pdf
12. Monash Law Library

12.1 Monash Law Library

The Law Library, one of the largest and best resourced in Australia, is part of the Monash University Library system of eight branch libraries on six campuses. It is located over four levels in the centre of the Law Faculty building on the Clayton campus, and provides an extensive collection of high quality print and electronic legal resources. An emphasis on providing an environment conducive to both group and individual study saw new study tables with power for laptops installed on three levels, and continued high use with a door count of over 424,000 for the year.

12.2 2011 Highlights

Following an extensive Library-wide review of service points, the Law Library adopted a new model, providing more integrated advice on research and learning skills by librarians and learning skills advisers. The overlap of questions and student concerns on research and writing skills has meant a more seamless service and referral system for students.

The Law Library’s orientation program was extended this year to include a practical session on finding cases, so helping new students to complete a section of their first Introduction to Legal Reasoning assignment. Prizes of Library USB sticks were given to students finding the ‘lucky’ case on the shelves. This additional tour component was very well received by participating students.

Law Library staff developed and extended the popular Clerkship skills workshops, working with the Law Students’ Society to better prepare later year students for clerkships and graduate traineeships. The two hour sessions were run in summer and winter for LLB and JD students at both Clayton and City campuses. Topics included attitudes and expectations, effective writing for legal memos, and efficient researching of cases and legislation.

Teaching skills into first year units remained a high priority for Law Library staff, with the following units incorporating direct involvement from law librarians and learning skills advisers teaching research skills and academic skills:

- LAW1101 Introduction to Legal Reasoning (LLB)
- LAW1104 Research and Writing (LLB)
- LAW7079 Legal Research & Problem Solving (JD)
- LAW7212 Australian Legal System (LLM)
- LAW7285 Legal Research & Communication (LLM)

Research and writing skills classes were also run for the G-LEAP students from University of Hong Kong, visiting Melbourne to study intellectual property, and as part of orientation programs for international and exchange students. Classes on advanced legal research and EndNote bibliographic management were provided to Law Honours research students and as part of the SJD seminar program.

Additional programs, drop-in sessions and consultations were conducted outside the curriculum to help students with information research and learning skills. An extensive program of learning skills workshops was provided at the Law Chambers to JD students, as well as to undergraduates at the Clayton campus. The writing group for Law Higher Degree Research students also continued at the Clayton campus.

New e-Learning materials were developed to support teaching, brought together in the Law Resources Library Guide at www.guides.lib.monash.edu/law. Online ‘Guide Me’ clips were developed to further the teaching of legal research and writing skills.

Online reading lists were developed and trialled using new Aspire software, creating a more user friendly experience for students.
12.3 Facilities and services highlights

The Library Node at the Law Chambers, City, commenced operation on November 1. Law postgraduate students and staff are now able to request books via Search to be picked up at the Law Chambers. This is a service jointly provided by the Library and the Faculty. The Node uses an iLoans terminal to connect to the Library’s Voyager system; this being the first terminal to make available both self loan and self return of books. A small collection of Reserve texts for JD students are also located in the Node and available for 3 hour loan.

During 2011, the following improved facilities and services became available to Monash students and staff at the Clayton Law Library.

- An open reserve system with new carpeting and shelving ends has created an enhanced environment, along with easier access, for students.
- Four meeting rooms, available for student use on Level 4, now remain unlocked and open for students to use when not booked.
- All group study tables and individual study tables on Level 1 were replaced with new tables. Based on feedback from the User Survey, group tables have been arranged near power outlets where possible. All single study tables have power outlets. New study tables with power outlets for laptop use were installed on Levels 2 and 3.
- A new overhead projector was installed in the Level 1 training room to enable more effective teaching of legal research skills.
- Signage was replaced and updated throughout the Law Library. Most notable are the large ‘Law Library’ lettering at the entrance to the Library, and the new ‘Research and Learning’ and ‘Information’ signs at service points.
- Relocation of the Reference area on Level 1, with new shelving and carpeting.
- The large discussion and photocopying room on Level 1 was refreshed with new paint and art work.

12.4 Collection highlights

The budget available for the acquisition of new print and electronic materials remained steady for 2011. Some notable purchases included:

- iLAW Construction database
- Family Law Book (online)
- Journal of Water Law (new print order)
- International Chamber of Commerce, Dispute Resolution database
- Western Australian Reports and State Reports (WA) (online)
- Oxford Scholarship Online 2011 ebooks collection
- Edward Elgar 2011 ebooks collection
- Australian Product Liability Reporter online
- Journal of Commonwealth Criminal Law (online)
- Vietnam Laws Online
- International Encyclopaedias of Laws for Media Law and Competition Law (online)
- Asian Journal of International Law (online)
- Singapore Law Reports (online)
- New Zealand Law Reports (online)
- Media and Arts Law Review online
- Criminal Justice Abstracts with full-text (online)
- Brill 2010 ebook collections in Human Rights and International Law
- Cambridge University Press, ebook collection (selected titles)
- Intellectual Property Collection (Hein Online)
- World Constitutions Illustrated (Hein Online)
- Property Law Review (online)
- Robson’s Annotated Corporations Law (online)
- Personal Properties and Securities Reporter (online)
- Malaysia Withholding Tax and Treaties Online

12.5 Law Library senior staff

Law Library manager – Kay Tucker
Law contact librarians – Caroline Knaggs, Sandra Pyke, Dawn Carroll, Melanie Thorn
Learning skills advisers – Patricia Hughes, Rosemary Shaw / Janice Pinder

12.6 Publications/Conference presentations


12.7 Journal affiliations and external committees

- Kay Tucker Editorial Board – Australian Law Librarian
- Caroline Knaggs ALIA Pathways (Information Literacy) Committee member
- CAVAL Reference Interest Group – Seminar Committee: Information Literacy (SCIL)
13. Staff List

13.1 Staff List

Dean

Professor Arie Freiberg AM,
LLB (Hons) Dip Crim Melb. LLM Monash LLD
Melb., FASSA, Admitted as a Barrister and Solicitor (Vic.)

Professors

Professor Stephen Barkocy,
BA LLB M’laxLaw PhD Monash FTIA Admitted as
a Barrister and Solicitor (Vic.)

Professorial Fellow David Cousins,
BEC (Hons) MEC Monash; DipEd Rusden; PhD Manchester

Professor Mark Davison,
LLB (Hons) Qld DipLP QldJT Dip Lang LLM
PhD Monash Legal Practitioner (Qld.and Vic.)

Professor Adrian Evans,
BCom LLB Melb. Assoc in Theology ACT LLM
PhD Monash Practitioner (Vic.)

Professor Ian Freckleton SC,
BA (Hons) LLB Syd. PhD Grif. Dip Th M ANH
FACLM (Hon) Legal Practitioner (Vic., ACT S.Aust.
NSW Qld. Tas. and N.Territory)

Professor Jeffrey Goldsworthy,
LLB (Hons) Adel. LLM Illinois MA PhD Berkeley
LLD Adel. FASSA Admitted as a Barrister and Solicitor (S.Aust.)

Professor The Hon. George Hampel AM,
QC,
LLB Melb. QC Practitioner (Vic., NSW ACT Tas.
and W.Aust.) Middle Temple (Eng.)

Professor Graeme Hodge,
BE MEngSc MBA PhD Monash

Professor Bryan Horrigan,
BA LLB (Hons) Qld. DPhil Oxon.

Professor Sarah Joseph,
BA LLB (Hons) Syd. LLM (Hons) Cantab PhD
Monash

Professor Susan Kneebone,
LLB Adel. MA HK DipEd Melb. PhD Monash
Admitted as a Barrister and Solicitor (S.Aust.
and Vic.)

Professor Hoong Phun (HP) Lee,
LLB (Hons) Sing. LLM Malaya PhD Monash
(The Sir John Latham Chair of Law)

Professor Justin Malbon,
LLB Adel, LLM Yorke, Can. PhD NSW
Admitted as a Barrister and Solicitor (Qld)

Professor Bernadette McSherry,
BA (Hons) LLB (Hons) LLM Melb. PhD York
(Can.) Grad Dip Psych Monash FASSA, FAAL
Admitted as a Barrister and Solicitor (Vic.)
(Australian Research Council Federation Fellow)

Professor Ann Monotti,
LLB (Hons) LLM Melb, PhD Monash
Admitted as a Barrister and Solicitor (Vic.)

Professor Christine Parker,
BA (Hons) LLB (hons) UK PhD ANU

Professor Marilyn Pittard,
BEC (Hons) LLB (Hons) Monash Admitted as a
Barrister and Solicitor (Vic.)

Professor Tania Sourdin,
BA LLM UNSW GradDipLP LLM PhD UTS
Legal Practitioner (NSW)

Professor Jeff Waincymer,
BCom LLB Melb. LLM Monash Legal
Practitioner (Vic.)

Emeritus Professors

Professor Richard Fox AM,
LLB Melb, DipCrim Melb. LLM Melb. LLD
Monash Admitted as a Barrister and Solicitor
(Vic.)

Professor Francis Trindade,
LLB Karachi MA Oxon. Gray’s Inn Barrister-
at-Law, Admitted as a Barrister and Solicitor (Vic.)

Professor Louis Walker AO,
LLB (Hons) Melb, BCL Oxon. Hon LLD
Monash FASSA FAAL Admitted as a Barrister
and Solicitor (Vic.)

Professor Christie Weeramantry,
BA LLB D.Lit (Hon) Lond. Hon LLD Colombo
Hon. LLD Monash Hon LLD National Law
School of India Advocate of Supreme Court
of Ceylon Admitted as a Barrister and Solicitor
(Vic.)

Professor Bob Williams,
BJuris LLB (Hons) Monash BCL Oxon. LLD
FASSA Admitted as a Barrister and Solicitor
(Vic.)

Associate Professors

Associate Professor Gideon Boas,
BA LLB Monash LLM PhD Melb. Legal
Practitioner (Vic. and NSW)

Associate Professor Jonathan Clough,
BSc LLB (Hons) Monash LLM Cantab. PhD
Grad Cert Higher Ed Monash Admitted as a
Barrister and Solicitor (Vic.)

Associate Professor John Duns,
BCom LLB (Hons) Melb. LLM PhD Monash
Admitted as a Barrister and Solicitor (Vic.)

Associate Professor Matthew Groves,
BA LLB (Hons) PhD Monash Admitted as a
Barrister and Solicitor (Vic.)

Associate Professor Gaye Lansdell,
LLB (Hons) Tas MPhil Camb. PhD Tas. Admitted as
a Barrister and Solicitor (Tas. and W.Aust.)
Solicitor (Eng. and Wales)

Associate Professor Kathy Laster,
LLB MA Melb JSD Columbia Admitted as a
Barrister and Solicitor (Vic)

Associate Professor David Lindsay,
BA LLB Syd. LLM Melb. PhD Monash
Admitted as a Solicitor (NSW)

Associate Professor Pamela O’Connor,
BA LLB Monash LLM Melb. MBA Grad Cert
Higher Ed PhD Monash Admitted as a
Barrister and Solicitor (Vic.)

Associate Professor Moira Paterson,
BEC Monash LLB (Hons) Melb. LLM Lond.
Grad Cert Higher Ed PhD Monash
Admitted as a Barrister and Solicitor (Vic.)

Associate Professor Greg Taylor,
BA (Hons) LLB (Hons) Adel. LLM Marburg
GOLP S.Aust. LLD Marburg Grad Cert Higher
Ed Monash Admitted as a Barrister and Solicitor
(S.Aust.)
Senior Lecturers

Dr Renata Alexander,
BA LLB DipFamLaw LLM PhD Monash
Legal Practitioner (Vic.)

Dr Hei Askola,
LLB LLM Turku, Finland PhD EUI

Ms Susan Barkehall-Thomas,
BA LLB (Hons) LLM Monash Admitted as a Barrister and Solicitor (Vic.)

Dr Colin Campbell,
BA LLM Melb. LLM PhD Cantab. Admitted as a Barrister and Solicitor (Vic.)

Ms Melissa Castan,
BA LLB (Hons) LLM Melb. Admitted as a Barrister and Solicitor (Vic.)

Dr Julie Debeljak,
BEc LLB (Hons) Monash LLM (Hons) Cantab. PhD Grad Cert Law Teaching (Hons) Monash Admitted as a Barrister and Solicitor (Vic.)

Dr Patrick Emerton,
BA (Hons) LLB (Hons) MA Melb. PhD Monash

Dr Paula Gerber,
LLB QUT BSc Kings CollLond. LLM Monash PhD Melb Admitted as a Barrister and Solicitor (NSW and Vic.) Admitted as a Solicitor (Qld.) (Eng. and Wales) Attorney (California)

Dr Stephen Gray,
BA LLB (Hons) LLM Melb PhD Monash

Dr Sirko Harder,
Doctor Juris Tübingen LLM Qld. PhD Aberdeen

Mr Ross Hyams,
BA LLB LLM Monash Legal Practitioner (Vic.)

Dr Emmanuel Laryea,
LLB (Hons) Ghana LLM Glas. PhD Bond Grad Cert Higher Ed Monash Admitted as a Barrister and Solicitor (Ghana)

Ms Oyiela Litaba,
LLM Melb. MA Cantab. PG Dip Teach Sheff. Admitted as a Solicitor (England and Wales) Admitted as a Barrister & Solicitor (Fiji)

Dr Karinne Ludlow,
BSc LLB (Hons) PhD Monash Admitted as a Barrister and Solicitor (Vic.)

Dr Adam McBeth,
BA (Hons) PhD Monash Grad Cert Higher Ed Deakin, Admitted as a Barrister and Solicitor (Vic.)

Dr Bronwyn Naylor,
BA (Hons) LLB (Hons) LLM Monash MPhil(Crim) PhD Cantab. Admitted as a Barrister and Solicitor (Vic.)

Dr Janice Richardson,
BA LLM Leic. MA PhD Warw. Admitted as a Barrister and Solicitor (UK)

Mrs Sharon Rodrick,
BA (Hons) LLM Melb. Admitted as a Barrister and Solicitor (Vic.)

Ms Adiva Sifris,
BProc Witw. LLM PhD Monash Admitted as a Barrister and Solicitor (ACT)

Dr Dale Smith,
BA (Hons) LLB (Hons) MA Melb. DPhil Oxon.

Dr Normann Witzleb,
State Law Exam Würzburg. Assr Iur. Berlin, Dr Iur. EUV Frankfurt (O), DipLegSt London, LLM(Hons) Murdoch, GradDiplagPrac ANU, Admitted as a Barrister and Solicitor (ACT)

Dr Eric Wilson,
BA (Hons) MA Dal. PhD Camb. LLB BrCol. LLM Washington SJD Melb.

Ms Helen Yandell,
DipTeach Murray Park BEd Warmambool LLB Deakin GradDiplLP ANU Legal Practitioner (Vic.)

Lecturers

Dr Becky Batagol,
BA (Hons) LLB (Hons) PhD Monash

Mr Malcolm Bennett,
LLB Melb. Legal Practitioner (Vic.)

Ms Rowena Cantley-Smith,
BEd LLB Grad Cert Legal Teaching Monash LLM Leiden Legal Practitioner (Vic.)

Ms Fay Gertner,
BA LLB Monash Legal Practitioner (Vic.)

Dr Rebecca Giblin,
LLB (Hons) PhD, Grad Cert Higher Ed Monash Admitted as a Barrister and Solicitor (Vic.)

Dr Richard Joyce
BA LLB (Hons) Melb. PhD Lon Admitted as a Barrister and Solicitor (Vic.)

Dr Joanna Kyriakakis
BA, LLBLP (Hons) Flinders, SJD Monash, Admitted as a Barrister and Solicitor (SA)

Mr Kwame Mfodwo,
LLB (Hons) Ghana Infrilaw ANU

Dr Gerry Nagtzzaam,
BA LLB, M.Env.Sci Monash PhD Melb. Admitted as a Barrister and Solicitor (Vic.)

Ms Maria O’Sullivan
BA LLB (Hons) GradDiplLP ANU LLM Essex Admitted as a Barrister and Solicitor (ACT)

Ms Tania Penovic,
BA LLB (Hons) Melb. MST (Dist) Oxon. Grad Cert Law Teaching Monash Admitted as a Barrister and Solicitor (Vic.) Solicitor of the Supreme Court (Eng. and Wales)

Dr Ronli Sifris
BA LLB (Hons) Monash LLM NYU PhD Monash Admitted as a Barrister and Solicitor (Vic) (NY)

Dr Karen Wheelwright,
BA GradDiplEd La Trobe LLB (Hons) Melb. PhD Monash Admitted as a Barrister and Solicitor (Vic.)
13. Staff List

13.1 Assistant Lecturers
Ms Azadeh Dastyari,
BA LLB (Hons) Syd, GradDipLP Technol.Syd.
Ms Kathryn James,
BA LLB (Hons) Monash Admitted as a Barrister and Solicitor (Vic.)
Ms Lisa Spagnolo,
BCom LLB (Hons) Deakin Admitted as a Barrister and Solicitor (Vic.)

13.2 Administrative Structure
Portfolios, charts and senior administrative staff
See Appendix I

13.3 Promotions
Patrick Emerton – lecturer to senior lecturer
Gideon Boas – senior lecturer to associate professor
David Lindsay – senior lecturer to associate professor

13.4 Appointments
Mr Adam Fletcher
Mr Richard Joyce
Dr Kathy Laster
Professor Christine Parker
Dr Janice Richardson
Dr Roni Sifris
Professor Tania Sourdin

13.5 Resignations
Nil

13.6 Outside Studies Program
Colin Campbell, Semester 1
Melissa Castan, Semester 1
Jonathan Clough, Semester 1
John Duns, Semester 1
Rebecca Giblin, Semester 1
Adam McBeth, Semester 1
Bronwyn Naylor, Semester 1
Moira Paterson, Semester 1
Tania Penovic, Semester 1
Heli Askola, Semester 2
Karinne Ludlow, Semester 2

Senior Research Fellows
Dr Penelope Weller,
BA LLB Monash MA LaTrobe PhD Victoria

Research Fellow
Mr Adam Fletcher,
BA LLB (Hons) UTS MPubIntLaw Melb. Admitted as a Barrister and Solicitor (Vic.)

Adjunct Staff
Ms Lesley Coleman,
BA M.Admin Monash
Mr Raymond Hind,
Mr Andrew Monotti,
BCom LLB (Hons) LLM Melb. Admitted as a Barrister and Solicitor (Vic.)
Dr Guy Powles,
BA LLB LLM Well. PhD ANU Admitted as a Barrister and Solicitor (NZ) (Eng.) (Vic.)
Mr Ian Pyman,
BJuris. LLB Monash Legal Practitioner
Mr Chris Sidoti,
BA LLB Syd.
Dr David Yarrow,
BSc LLB LLM Qld, MSc Griffith PhD Osgoode
14. External Boards and Committees

14.1 External Boards and Committees

Renata Alexander
- Member, Sex Work Ministerial Advisory Committee, Department of Justice

Stephen Barkocy
- Member, Venture Capital Committee of Innovation Australia

Becky Batagol
- Company Secretary, Board of Family Mediation Centre

Gideon Boas
- Member, Australian Red Cross Victoria, International Humanitarian Law Committee
- Member, Australian Support and Advisory Committee
- Member, International Expert Framework Group on International Criminal Procedure

Rowena Cantley-Smith
- Associate Fellow, Institute of Environment and Energy Law, Faculty of Law, University of Leuven, Belgium
- Associate Fellow, Clingendael International Energy Programme, The Netherlands Institute of International Relations, The Hague, The Netherlands
- Member, Australian Institute of Energy
- Member, Australian Energy and Natural Resources Law Association
- Member, IUCN Environmental Law Academy

Jonathan Clough
- Member, Cancer Council Legal Policy Advisory Group

David Cousins
- Commissioner, Taxi Services Commission Victoria
- Member, Council of Queens College Melbourne

Mark Davison
- Member, Intellectual Property Committee, Business Law Section, Law Council of Australia
- Member, International Trademark Association (INTA)
- Special Counsel, Knightsbridge Lawyers

Julie Debiljak
- Member, Advisory Committee, Human Rights Law Resource Centre

Ian Freckelton
- Member, Coronial Council of Victoria
- Member, Mental Health Review Board
- Member, Psychosurgery Review Board
- Member, Suitability Panel of Victoria
- Member, Investigation Review Panel of Victoria
- Member, Expert Advisory Panel on Mental Health Act Reform
- Vice-President, International Institute of Forensic Studies
- Vice-President, International Academy of Law and Mental Health (Australasian Branch)
- Board Member, Council of Australasian Tribunals
- Vice-President, International Organisation of Mental Health Review Tribunals
- Member, The Netherlands Scientific Council of the Expertise Center for Forensic Psychiatry

Arie Freiberg
- Member, Council of the Australian Institute of Judicial Administration
- Chair, Victorian Sentencing Advisory Council
- Member, Sexual Assault Advisory Committee, Department of Justice, Victoria
- Member, Leo Cussen Institute Board
- Member, International Penal and Penitentiary Foundation
- Adjunct Faculty, The Australia and New Zealand School of Government

Paula Gerber
- Member, Victorian Civil and Administrative Tribunal (Civil Claims and Domestic Building Lists)
- Member, Victorian Human Rights Education Committee
- Director, Victoria Equal Opportunity and Human Rights Commission
- Patron, National Association of Women in Construction
- Member, Dispute Resolution Board Australia
- Member, Dispute Resolution Board Federation
- Partner, DAPs Australia.

Stephen Gray
- Member, Charles Darwin University Press Committee

George Hampel
- Director, Monash Forensic Studies Program
- Chairman, Australian Advocacy Institute
- Member, Council of Legal Education
- Chairman, Funding Committee of ‘More than Opera’

Bryan Horrigan
- Consultant, Allen’s Arthur Robinson

Kathryn James
- Board Member, Springvale Monash Legal Service

Sarah Joseph
- Member, Advisory Board, Academy on Human Rights and Humanitarian Law, American University, Washington DC
- Member, International Board of Advisers, Jindal Global Law School, Sonipat, Haryana, India
- Member, Advisory Board, Centre for Civil and Political Rights, Geneva

Kathy Laster
- Member, Adult Multicultural Education Service

Hoong Phun Lee
- Member, International Board of Advisers of the Weeramantry International Centre for Peace Education and Research
- Adjunct Professor, School of Law, City University of Hong Kong
- Member, International Board of Advisers, Jindal Global Law School, Sonipat, Haryana, India
- Member, International Advisory Board, City University of Hong Kong School of Law

David Lindsay
- Board Member, Australian Privacy Foundation
- Member, Media and Communications Committee, Business Law Section, Law Council of Australia
- Member, Copyright Council Expert Group

Karinne Ludlow
- Member, Newborn Screening Advisory Committee, Royal Children’s Hospital
14. External Boards and Committees

Justin Maibon
- Member, Queensland Competition Authority
- Panelist, Financial Ombudsman Service Ltd

Bernadette McSherry
- Legal Member, Mental Health Review Board (Vic)
- Advisory Board Member, International Organisation of Mental Health Tribunals
- Member, Australian Institute of Criminology
- Member, International Academy of Law and Mental Health
- Member, International Association of Forensic Mental Health Services

Ann Monotti
- Intellectual Property Committee, Business Law Section, Law Council of Australia

Bronwyn Naylor
- Member, Architects Tribunal Panel, Architects Registration Board of Victoria
- Director and Deputy Chair, Springvale Monash Legal Service
- Member, Women in Supported Programs (WISP) Reference Group

Pamela O’Connor
- Board Member, Judicial College of Victoria
- Board Member, Leo Cussen Institute
- Commissioner, Victorian Law Reform Commission

Moira Paterson
- Member, Firearms Appeals Committee

Tania Penovic
- Council Member, ABC Advisory Council

Marilyn Pittard
- Vice President and Executive Committee Member, Australian Labour Law Association
- Member, Industrial Relations Society of Victoria
- Convenor, Victorian Chapter, Australian Labour Law Association
- Member, Advisory Committee, the Australian Institute of Employment Rights
- Workplace Relations Law Advisory Committee for Specialist Accreditation, Law Institute of Victoria
- Legal Member, Cancer Council of Victoria Human Research Ethics Committee

- Principal Examiner, Workplace Relations Specialist Accreditation, Law Institute of Victoria
- Associate Member, Centre for Employment and Labour Relations Law, University of Melbourne

Dale Smith
- Treasurer, Australian Society of Legal Philosophy

Tania Sourdin
- Member, National Alternative Dispute Resolution Advisory Council
- Deputy Chair, Mediator Standards Board
- Member, National Taxation Liaison Group
- Member, Collaborative Law Committee, Law Council of Australia

Lisa Spagnolo
- Rapporteur, CISG Advisory Council
- Alternate Legal Member, Cancer Council of Victoria, Human Research Ethics Committee
- National Correspondent, Global Sales Law Project, University of Basel, Switzerland
- Member, Australian Consumer Law Roundtable

Jeff Waincymer
- CoChair, International Trade and Business Interest Group, International Law Section, Law Council of Australia

Penelope Weller
- Deputy Chair, Department of Justice Human Research Ethics Committee

Bob Williams
- Member, Victorian Civil and Administrative Tribunal, Guardianship List

14.2 Journal Affiliations

Stephen Barkoczy
- Advisory Board, Revenue Law Journal
- Editorial Board, Journal of Australian Taxation

Gideon Boas
- Editor, Criminal Law Forum

Mark Davison
- Editorial Board, International Journal of Information Policy and Law

Ian Freckelton
- Editor, Journal of Law and Medicine
- Editor in Chief, Psychiatry, Psychology and Law
- Editorial Board Member, Family Law in New Zealand

- Editorial Board Member, Australian and New Zealand Journal of Forensic Sciences
- Editorial Board Member, Open Law Journal
- Editorial Board Member, Deakin Law Review

Arie Freiberg
- Editorial Board, Punishment and Society
- Editorial Board, Criminal Justice

- Editorial Board, Queensland University of Technology Law and Justice Journal
- Editorial Board, Canadian Journal of Criminology and Criminal Justice
- Editorial Board, Judicial College of Victoria, Victorian Sentencing Manual

Jeff Goldsworthy
- Editorial Board, University of Queensland Law Journal
- Editorial Board, Legal Theory
- Editorial Board, Philosophy Compass

Stephen Gray
- Northern Territory Editor, Criminal Law Journal

Matthew Groves
- State Editor, Criminal Law Journal
- Legal Adviser, South Asia
- Reviews Editor, Australian Journal of Administrative Law

Graeme Hodge
- Editorial Board, International Journal of Public Policy
Bryan Horrigan
- Editorial Advisory Board, Social Responsibility Journal
- Advisory Board, QUT Law and Justice Journal

Ross Hyams
- Editor, Lawyers Practice Manual (Vic)

Kathryn James
- Editorial Committee, Alternative Law Journal

Sarah Joseph
- Editorial Board, Human Rights Law Review
- Editorial Board, Journal of Human Rights and the Environment

Susan Kneebone
- Editorial Board, Australian Institute of Administrative Law Forum
- Editorial Board, Around the Globe

Kathy Laster
- Editorial Board, International Journal of Victimology

Hoong Phun Lee
- Panel of International Referees, Singapore Academy of Law Journal
- Advisory Board, Singapore Journal of Legal Studies
- Advisory Board, The Asian Law Journal
- Board of Editorial Advisors, Asian Journal of Comparative Law

David Lindsay
- Editorial Board, Australian Intellectual Property Journal
- Editorial Board, Media and Arts Law Review
- Editorial Board, Privacy Law and Policy Reporter
- Editorial Board, Telecommunications Journal of Australia

Bernadette McSherry
- Coeditor, Legal Issues Column, Journal of Law and Medicine
- Editorial Board, Psychiatry, Psychology and Law
- Editorial Board, Monash Bioethics Review
- Editorial Board, International Journal of Forensic Mental Health
- Editorial Board, Psychology, Public Policy and Law
- Editorial Board, Journal of Commonwealth Criminal Law

Ann Monotti
- Australian Correspondent, European Intellectual Property Review (Sweet and Maxwell Ltd, Great Britain)

Bronwyn Naylor
- Editorial Board, Alternative Law Journal

Christine Parker
- Editorial Board, Law and Policy
- Editorial Board, Regulation and Governance
- Editor, Legal Ethics

Moira Paterson
- FOI Editor, Australian Administrative Law Service

Marilyn Pittard
- General Editor, Employment Law Bulletin
- Editorial Board, Australian Journal of Labour Law

Tania Sourdin
- General Editor, Australasian Dispute Resolution Service (Thomson Reuters)

Jeff Waincymer
- Advisory Board, Vindobona Law Journal
- Advisory Board, University of New South Wales E-Journal of Taxation Law
- Advisory Board to the publisher Kluwer, as to its International Trade Manuscript Series
- Bob Williams
- Assistant Editor (Criminal Cases), Victorian Reports

Normann Witzleb
- Section Editor, ‘Privacy’, Australian Business Law Review
- Editorial Committee, Alternative Law Journal
- Advisory Board to the publisher Kluwer, as to its International Trade Manuscript Series
15. Staff and Student Publications

15.1 Staff and Student Publications

* Meets Australian Government requirements for research publications

# Student author

*Books (authored)*

# Stuart Kells, *Rare: A Life Among Antiquarian Books* (Folio, 1st ed, 2011).

*Book Chapters*


*Book revisions or new editions*


*Edited books / edited compilations*

- Adrian Evans, Ross Hyams, Mary Anne Noone, Helen Yandell, Judith Dickson, Bernard Welch, Mia Campbell and Rob Cortina (eds), *Lawyers Practice Manual* (Thomson Lawbook Co, 2011).


David Lindsay, ‘Copyright and freedom of expression’ in Kathy Bowrey, Michael Handler and Dianne Nicol (eds), Emerging Challenges in Intellectual Property (Oxford University Press, 2011) 68-89.


Bernadette McSherry and Patrick Keyzer, ‘Dangerous people: an overview’ in Bernadette McSherry and Patrick Keyzer (eds), Dangerous People: Policy, Prediction, and Practice (Routledge, 2011) 3-12.

Pamela O’Connor, ‘Regulating by covenant: is it sustainable?’ in Penny Carruthers, Sharon Mascher and Natalie Skeit (eds), Property and Sustainability: Selected Essays (Thomson Reuters, 2011) 127-143.


Normann Witzleb and Natalie Skeit, ‘Mapping and embedding graduate attributes across the curriculum’ in Sally Kftt, Michelle Sanson, Jeff Cowley and Penelope Watson (eds), Excellence and Innovation in Legal Education (Lexis Nexis Butterworths, 2011) 31-68.

Book chapters (other)


‘Refereed Journal Articles’


#Tyrone Berger, ‘Copyright in standards: open or shut case’ (2011) 29(3) Copyright Reporter 106-112.
15. Staff and Student Publications

- Ian Freckelton, ‘Mental harm claims against emergency services organisations: an important Australian development’ (2011) 18(2) Psychiatry, Psychology and Law 163-176.
- Rebecca Giblin, ‘Physical world assumptions and software world realities (and why there are more P2P software providers than ever before)’ (2011) 35(1) The Columbia Journal of Law & the Arts 57-118.
- Sirko Harder, ‘Convergence and divergence in private international law’ (2011) 7(3) Journal of Private International Law 649-663.
- Sirko Harder, ‘Statutes of limitation between classification and renvoi – Australian and South African approaches compared’ (2011) 60(3) International and Comparative Law Quarterly 659-680.
15. Staff and Student Publications

- Eric Wilson, ‘Magnum Latrocinium and private avengers: Carl Schmitt and Hugo Grotius on piracy’ (2011) 26(3) Leidschrift 75-97.

Journal Articles (non-refereed)

- Paula Gerber and Brennan Ong, ‘DAPs: a flash in the pan or here to stay?’ (2011) 23(8-9) Australian Construction Law Newsletter 122-129.

Journal Articles (letters/notes/book reviews)


Conference Publication – Extract of Paper or Abstract


Research Report – commissioned by Government or Industry


**Expert Commentary**


Maria O’Sullivan, ‘High Court ruling: the end for the Malaysia Solution?’, The Conversation (online), 8 August 2011 <www.theconversation.edu.au/high-court-ruling-the-end-for-the-malaysian-solution-2727>.


Submissions to Parliament / Government Agencies


Susan Kneebone, Maria O’Sullivan and Tania Penovic, Submission to the Senate Standing Committee on Legal and Constitutional Affairs, Inquiry into the agreement between Australia and Malaysia on the transfer of asylum seekers to Malaysia, 30 September 2011.

Tania Penovic, Submission to the Senate Joint Select Committee, Australia’s Immigration Detention Network, 12 August 2011.

Tania Penovic, Submission to the Senate Legal and Constitutional Affairs Legislation Committee, Migration Amendment (Detention Reform and Procedural Fairness) Bill 2010, 6 June 2011.


Tania Penovic, Amanda Thompson, and Lisa Harrison, Submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs, Inquiry into the Regulation of Billboard and Outdoor Advertising, February 2011.

Normann Witzelb, Submission to Australian Government Attorney-General’s Department, A Commonwealth Statutory Cause of Action for Serious Invasion of Privacy, 4 November 2011.

**Other**

Appendix I

Academic Governance Positions - Faculty of Law 2011
<table>
<thead>
<tr>
<th>Prize Awarded</th>
<th>Supporter</th>
<th>Prize Winner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alan Missen Prize for Best Essay on Human Rights Supported by the Alan Missen Foundation</td>
<td>Monash Law School</td>
<td>Jay Nemec, Anna Gibson</td>
</tr>
<tr>
<td>Alec Masel Prize for Civil Procedure Supported by DLA Piper</td>
<td>DLA Piper</td>
<td>Andrew Bubb</td>
</tr>
<tr>
<td>Allens Arthur Robinson Prize for Corporations Law</td>
<td>Allens Arthur Robinson</td>
<td>Andrew Prowse</td>
</tr>
<tr>
<td>Arnold Bloch Leibler Prize for Taxation Law</td>
<td>Arnold Bloch Leibler</td>
<td>Matthew Collins, Kelly Goodwin, Nancy Nguyen</td>
</tr>
<tr>
<td>Ashurst Prize for Contract A</td>
<td>Ashurst</td>
<td>Sasha Di Sipio</td>
</tr>
<tr>
<td>Ashurst Prize for Contract B</td>
<td>Ashurst</td>
<td>Harley Stewart</td>
</tr>
<tr>
<td>Australian Advocacy Institute Prize for the Jessup Moot Competition</td>
<td>Australian Advocacy Institute</td>
<td>Jeremy Shelley</td>
</tr>
<tr>
<td>Brian Benjamin Prize for Trusts Supported by DLA Piper</td>
<td>DLA Piper</td>
<td>Kelly Goodwin</td>
</tr>
<tr>
<td>Carol Keating Prize for Criminal Law and Procedure Supported by the Office of Public Prosecutions</td>
<td>Office Public Prosecution</td>
<td>Gabriel Sakkal</td>
</tr>
<tr>
<td>Chief Justice Marilyn Warren prize for Best master of laws (Juris Doctor) student</td>
<td>Supreme Court of Victoria</td>
<td>Minna Paltiel</td>
</tr>
<tr>
<td>Clayton Utz Prize for International Commercial Arbitration</td>
<td>Clayton Utz</td>
<td>Eleanor Muholland</td>
</tr>
<tr>
<td>Commercial Bar Association of Victoria (Asia Practice) Prize for Malaysian and Singaporean Constitutional Systems</td>
<td>Commercial Bar Association of Victoria (Asia Practice)</td>
<td>Keara Stretton</td>
</tr>
<tr>
<td>County Court of Victoria Prize for Current Problems in Criminal Law</td>
<td>County Court of Victoria</td>
<td>Chua Chuan Hwee Jason, Ian Ranson</td>
</tr>
<tr>
<td>County Court of Victoria Prize for Negotiation and Mediation Law</td>
<td>County Court of Victoria</td>
<td>Jack Anstey &amp; Joanna Dodd</td>
</tr>
<tr>
<td>Davies Collison Cave Prize for Biotechnology and the Law</td>
<td>Davies Collison Cave</td>
<td>Eleanor Ratcliffe</td>
</tr>
<tr>
<td>Dr Brian Donovan Memorial Prize for International Refugee Law and Practice Supported by the Dr Brian Donovan Memorial Trust</td>
<td>Supported by the Dr Brian Donovan Memorial Trust</td>
<td>James Pattison</td>
</tr>
<tr>
<td>Enid Campbell Prize for Constitutional Law Supported by the Victorian Government Solicitor’s Office</td>
<td>Victorian Government’s Solicitor’s Office</td>
<td>Brooke Smith</td>
</tr>
<tr>
<td>Forte Family Lawyers Prize for Family Law Assistance Program – Professional Practice</td>
<td>Forte Family Lawyers</td>
<td>Tristan Nathanielisz</td>
</tr>
<tr>
<td>Freehills Prize for Equity</td>
<td>Freehills</td>
<td>Skye Melki-Wegner, Daniella Phair</td>
</tr>
<tr>
<td>Freehills Prize for Law of Employment</td>
<td>Freehills</td>
<td>Chi Fung</td>
</tr>
<tr>
<td>Herbert Geer Prize for Intellectual Property I: Copyright and Designs</td>
<td>Herbert Geer</td>
<td>Jessica Cullin</td>
</tr>
<tr>
<td>Holding Redlich Prize for Australian Commercial Law</td>
<td>Holding Redlich</td>
<td>Natalie Kaye</td>
</tr>
<tr>
<td>Holding Redlich Family Law Prize for Family Property and Financial Disputes</td>
<td>Holding Redlich Family Law</td>
<td>Min Ching Ngai</td>
</tr>
<tr>
<td>Holding Redlich Prize for International Human Rights</td>
<td>Holding Redlich</td>
<td>Christopher Varney</td>
</tr>
<tr>
<td>Hunt &amp; Hunt Prize for Property A</td>
<td>Hunt &amp; Hunt</td>
<td>Thomas Fallon</td>
</tr>
<tr>
<td>Hunt &amp; Hunt Prize for Property B</td>
<td>Hunt &amp; Hunt</td>
<td>Alexandra Lanyon</td>
</tr>
<tr>
<td>Jack Just Memorial Prize for Advanced Taxation Law</td>
<td>Monash Law School</td>
<td>Maellein Foo &amp; Jake Ward</td>
</tr>
<tr>
<td>Jeffrey L Sher Prize for Trial Practice and Advocacy Supported by Monash Law School</td>
<td>Monash Law School</td>
<td>Felicity Fox</td>
</tr>
<tr>
<td>King &amp; Wood Mallesons Prize for Australian Banking Law</td>
<td>King &amp; Wood Mallesons</td>
<td>Frederick Brodie, Dominique Mavroyeni</td>
</tr>
<tr>
<td>King &amp; Wood Mallesons Prize for Evidence</td>
<td>King &amp; Wood Mallesons</td>
<td>Ian Ranson</td>
</tr>
<tr>
<td>Kumar Amarasekara Prize for Criminal Law Supported by the Kumar Amarasekara Bequest Fund</td>
<td>Kumar Amarasekara Bequest</td>
<td>Kelly Goodwin</td>
</tr>
<tr>
<td>Law Institute of Victoria Prize for Advanced Professional Practice</td>
<td>Law Institute of Victoria</td>
<td>Katrina Chow</td>
</tr>
<tr>
<td>Lawrie McCreedie Prize for Succession Law Supported by Monash Law School</td>
<td>Monash Law School</td>
<td>Jessica Cullin</td>
</tr>
<tr>
<td>Lexis Nexis Prize for Administrative Law</td>
<td>Lexis Nexis</td>
<td>Lauren John</td>
</tr>
<tr>
<td>Prize Awarded</td>
<td>Supporter</td>
<td>Prize Winner</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>-------------------------------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Lexis Nexis Prize for Research and Writing</td>
<td>Lexis Nexis</td>
<td>Luke Denham, Samuel Ellemor, Pierce Russell, Amy Sherman, Tan Mao Lin</td>
</tr>
<tr>
<td>Lexis Nexis Prize for Restrictive Trade Practices</td>
<td>Lexis Nexis</td>
<td>Samantha Loff</td>
</tr>
<tr>
<td>Louise Crockett Memorial Prize for Introduction to Family law Supported by the family of Ms Louise Crockett</td>
<td>Louise Crockett Memorial Fund</td>
<td>Nonni Sdraulig</td>
</tr>
<tr>
<td>MolinoCahill Lawyers Prize for Construction Law</td>
<td>MolinoCahill Lawyers</td>
<td>Sean Kelly</td>
</tr>
<tr>
<td>Monash Law School Prize for Best Junior Advocate</td>
<td>Monash Law School</td>
<td>Gabriella Bornstein</td>
</tr>
<tr>
<td>Monash Law School Prize for Collective Labour Rights</td>
<td>Monash Law School</td>
<td>Eleanor Demarzi</td>
</tr>
<tr>
<td>Monash Law School Prize for Comparative cyberlaw</td>
<td>Monash Law School</td>
<td>Kathryn Sharpe</td>
</tr>
<tr>
<td>Monash Law School Prize for Comparative European legal systems</td>
<td>Monash Law School</td>
<td>Siu-Mei Lim</td>
</tr>
<tr>
<td>Monash Law School Prize for Comparative legislation and statutory interpretation</td>
<td>Monash Law School</td>
<td>Sara Brown</td>
</tr>
<tr>
<td>Monash Law School Prize for Constitutional law 312</td>
<td>Monash Law School</td>
<td>Kenneth Shen Loong Lee, Jing Shin Yap</td>
</tr>
<tr>
<td>Monash Law School Prize for Consumer law</td>
<td>Monash Law School</td>
<td>Brooke Smith</td>
</tr>
<tr>
<td>Monash Law School Prize for Corporate social responsibility</td>
<td>Monash Law School</td>
<td>James Patto</td>
</tr>
<tr>
<td>Monash Law School Prize for International and comparative family law</td>
<td>Monash Law School</td>
<td>Imogen White</td>
</tr>
<tr>
<td>Monash Law School Prize for International and comparative taxation law</td>
<td>Monash Law School</td>
<td>Catherine Oluich</td>
</tr>
<tr>
<td>Monash Law School Prize for International and comparative trade mark law</td>
<td>Monash Law School</td>
<td>Adrian Wee</td>
</tr>
<tr>
<td>Monash Law School Prize for International criminal law</td>
<td>Monash Law School</td>
<td>Peter Firus</td>
</tr>
<tr>
<td>Monash Law School Prize for Introduction to European union law</td>
<td>Monash Law School</td>
<td>Jacqueline Bisas</td>
</tr>
<tr>
<td>Monash Law School Prize for Introduction to legal reasoning</td>
<td>Monash Law School</td>
<td>Pierce Russell</td>
</tr>
<tr>
<td>Monash Law School Prize for Issues in medical ethics and law</td>
<td>Monash Law School</td>
<td>Morag Milton</td>
</tr>
<tr>
<td>Monash Law School Prize for Law and Biology</td>
<td>Monash Law School</td>
<td>Paul Savage, Penelope Swales</td>
</tr>
<tr>
<td>Monash Law School Prize for Law and social theory</td>
<td>Monash Law School</td>
<td>Aimee Maud</td>
</tr>
<tr>
<td>Monash Law School Prize for Law reform and community development</td>
<td>Monash Law School</td>
<td>Amanda Thompson</td>
</tr>
<tr>
<td>Monash Law School Prize for Legal philosophy</td>
<td>Monash Law School</td>
<td>Jeremy Noye</td>
</tr>
<tr>
<td>Monash Law School Prize for Modern constitutionalism – a comparative perspective</td>
<td>Monash Law School</td>
<td>Urszula Strus</td>
</tr>
<tr>
<td>Monash Law School Prize for Problem based learning seminar</td>
<td>Monash Law School</td>
<td>Jemma Ritchie</td>
</tr>
<tr>
<td>Monash Law School Prize for Public meets private – problems in the recognition and enforcement of rights and remedies</td>
<td>Monash Law School</td>
<td>Stephen Williams</td>
</tr>
<tr>
<td>Monash Law School Prize for Research unit A</td>
<td>Monash Law School</td>
<td>Srinidhi Kulkarni Kelly Ruffin</td>
</tr>
<tr>
<td>Monash Law School Prize for Research unit B 406</td>
<td>Monash Law School</td>
<td>Penelope Swales</td>
</tr>
<tr>
<td>Monash Law School Prize for Sentencing and sanctions</td>
<td>Monash Law School</td>
<td>Tessa Daws Paul Jeffreys</td>
</tr>
<tr>
<td>Monash Law School Prize for Supervised research paper</td>
<td>Monash Law School</td>
<td>Brennan Ong</td>
</tr>
<tr>
<td>Monash Law School Prize for The judiciary in comparative perspective</td>
<td>Monash Law School</td>
<td>Joanna Dodd</td>
</tr>
<tr>
<td>Monash Law School Students’ Publication Prize</td>
<td>Monash Law School</td>
<td>Ronli Sifris, runner ups Annegret Kaempf, Eric Windholz</td>
</tr>
<tr>
<td>Monohan + Rowell Prize for Legal Issues in Medicine</td>
<td>Monohan + Rowell</td>
<td>Nonni Sdraulig</td>
</tr>
<tr>
<td>Prize Awarded</td>
<td>Supporter</td>
<td>Prize Winner</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>-------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Monohan + Rowell Prize for Professional Practice</td>
<td>Monohan + Rowell</td>
<td>Shaun Blacker, Ellen Murphy</td>
</tr>
<tr>
<td>Norton Rose Prize for Climate Change and International Law</td>
<td>Norton Rose</td>
<td>Eleanor Mulholland</td>
</tr>
<tr>
<td>Norton Rose Prize for Contemporary Workplace Relations Law</td>
<td>Norton Rose</td>
<td>Jaclyn El-Hage</td>
</tr>
<tr>
<td>Norton Rose Prize for Torts A</td>
<td>Norton Rose</td>
<td>Kelly Goodwin</td>
</tr>
<tr>
<td>Norton Rose Prize for Torts B</td>
<td>Norton Rose</td>
<td>Brooke Smith</td>
</tr>
<tr>
<td>Peter Twining Prize for Best Honours Thesis in Common Law Supported by DLA</td>
<td>DLA Piper</td>
<td>Antony Colafella</td>
</tr>
<tr>
<td>Piper</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ray Hind Prize for Design Law and Practice</td>
<td>Ray Hind</td>
<td>Natalia Blecher</td>
</tr>
<tr>
<td>Ray Hind Prize for Patenting for commercialisation</td>
<td>Ray Hind</td>
<td>Ian McCauley</td>
</tr>
<tr>
<td>Ray Hind Prize for Patents for Inventions</td>
<td>Ray Hind</td>
<td>Corrine Porter</td>
</tr>
<tr>
<td>Russell Kennedy Prize for Environmental Law</td>
<td>Russell Kennedy</td>
<td>Angela Salts</td>
</tr>
<tr>
<td>Sir Charles Lowe Moot Prize for Best Senior Advocate Supported by the Sir</td>
<td>Supported by the Sir Charles</td>
<td>Kiran Iyer</td>
</tr>
<tr>
<td>Charles Lowe Trust</td>
<td>Charles Lowe Trust</td>
<td></td>
</tr>
<tr>
<td>Sir Owen Dixon Prize for International Law Supported by the International</td>
<td>International Commission of</td>
<td>Elisabeth Howard</td>
</tr>
<tr>
<td>Commission of Jurists (Victoria)</td>
<td>Jurists – Victoria</td>
<td></td>
</tr>
<tr>
<td>Supreme Court Exhibition Prize for Best Honours Thesis Selected by the Chief</td>
<td>Supreme Court of Victoria</td>
<td>Adamantia Velonis</td>
</tr>
<tr>
<td>Justice on recommendation of the Dean</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court Prize for Best Honours Student Selected by the Chief Justice</td>
<td>Supreme Court of Victoria</td>
<td>Kelly Ruffin</td>
</tr>
<tr>
<td>on the recommendation of the Dean</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomson Reuters Prize for Criminal Investigation Law and Procedure</td>
<td>Thomson Reuters</td>
<td>Lauren Gore, Felix Ralph, Daryl Sim</td>
</tr>
<tr>
<td>Thomson Reuters Prize for Lawyers Ethics and Society</td>
<td>Thomson Reuters</td>
<td>Sumudu Akurugoda, Alina Leikin</td>
</tr>
<tr>
<td>Thomson Reuters Prize for Media Law</td>
<td>Thomson Reuters</td>
<td>Elizabeth Clark</td>
</tr>
<tr>
<td>Thomson Reuters Prize for Remedies</td>
<td>Thomson Reuters</td>
<td>Andrew Black</td>
</tr>
<tr>
<td>Trawalla Foundation Prize for Protecting the Rights of Minorities, Marginalised and Vulnerable People</td>
<td>Trawalla Foundation</td>
<td>Amy Johnstone</td>
</tr>
<tr>
<td>Victorian Institute of Forensic Medicine for Elements of Forensic Medicine</td>
<td>Victorian Institute of</td>
<td>Irene Drossinos</td>
</tr>
<tr>
<td></td>
<td>Forensic Medicine</td>
<td></td>
</tr>
</tbody>
</table>