

# Publications and Other Activities by Centre Faculty Members

## Becky Batagol

### Article

'Fomenters of strife, gladiatorial champions or something else entirely? Lawyers and family dispute resolution' (2008) 8 *QUT Law & Justice Journal*

### Papers

'Enforcer, Manager or Leader?' The Judicial Role in Family Violence Courts' presented (with Dr M. King) at the *Family Violence and Specialist Courts Conference*, Canberra, 22-23 May 2008

Re-visiting the Shadow of the Law? The Case of Family Mediation in Australia' presented at the *Research Committee in the Sociology of Law Annual Meeting*, Milan-Como, July 2008

'Reading the Landscape of power: How family dispute resolution practitioners understand power' presented at the 9<sup>th</sup> *National Mediation Conference*, Perth, 10-12 September 2008

'Bargaining in the Shadow of the Law? The Case of Family Dispute Resolution' presented at the *National Legal Aid Dispute Resolution Forum*, Perth, 9 September 2008

### Other Research

PhD thesis 'Bargaining in the Shadow of the Law? The Case of Family Mediation', Faculty of Law, Monash University, awarded 17 April 2008

## Rowena Cantley-Smith

'Energy, Human Rights and the Environment: An Irreconcilable Trinity?' in Castan Centre for Human Rights Law conference publication *Human Rights 2007: The Year in Review*, M. Smith and E. Contini (eds) (Monash Print Services, 2008, Melbourne) 11-38

## Melissa Castan

### General

*Castan Centre Study Tour to Israel*, Monash Law Faculty Research Seminar (with S. Joseph), 28 April 2008

### Submission

Submission to the Senate Legal and Constitutional Committee regarding the *Inquiry into the Stolen Generation Compensation Bill 2008* (with J. Tilley and D. Yarrow), April 2008

## Jonathan Clough

'Punishing the Parent: Corporate Criminal Complicity in Human Rights Abuses' (2008) 33 *Brooklyn Journal of International Law* 899

## Erica Contini

Castan Centre for Human Rights Law conference publication *Human Rights 2007:*

*The Year in Review*, M. Smith and E. Contini (eds) (2008)

## Julie Debeljak

'Combating Transnational Crime in the Greater Mekong Sub-Region: The Cases of Laos PDR and Cambodia', in Les Holmes (ed) *Trafficking and Forced Migration: Australian, European and Global Perspectives*, (Edward Elgar, 2008) (with S. Kneebone)

## Patrick Emerton

### Publication

*Anti-Terrorism Laws: A guide for community lawyers* (with M. Dias, Federation of Community Legal Centres (Vic) Inc), 2008.

### Submissions

Submission to the Senate Legal and Constitutional Committee regarding the *Inquiry into the Telecommunications (Interception and Access) Amendment Bill 2008* (with S. Cheligo, M. Grose, H. Pearson, F. Ransom and P. Ross) 9 April 2008

Submission to the Senate Legal and Constitutional Affairs Committee regarding the *Inquiry into the Independent Reviewer of Terrorism Laws Bill 2008 [No. 2]* (with S. Herreen), 12 September 2008

### Training

Training for officers of the Iraqi Ministry of Human Rights as part of the *Rehabilitation Assistance Facility: Iraq* project, Melbourne, 25 August 2008

## Paula Gerber

### Book Chapter

'From Convention to Classroom: The Long Road to Human Rights Education' in Newell, Christopher and Offord, Baden (eds) *Activating Human Rights in Education: Exploration, Innovation and Transformation* (2008) Australian College of Educators

### Submission

Submission to the Senate Standing Committee on Legal and Constitutional Affairs regarding the *Inquiry into the Effectiveness of the Commonwealth Sex Discrimination Act 1984 in Eliminating Discrimination and Promoting Gender Equality* (with S. Austin, E. Contini, J. Devenish, S. Herreen, L. Lee, S. Mahendren, S. Quinn and F. Simons), August 2008

### Training

Provision of Human Rights Training for DFAT, Canberra, 4 September 2008

## Sarah Joseph

### General

Monash Law Faculty Research Seminar *Castan Centre Study Tour to Israel* (with M. Castan), 28 April 2008

Presenter on 'Corporations and Human Rights' for the Norwegian Centre for Hu-

man Rights, Indonesia Program, Yogyakarta, 6-8 May 2008

Preview of forthcoming centre publication 'Human Rights Translated: A Business Reference Guide' presented at Strategic Partner *Futureye Pty Ltd Dinner*, Port Melbourne, 15 May 2008

Course coordinator, 'International Human Rights Law', University of Auckland LLM, August 2008

Presenter, 'International Investment Arbitration and Human Rights', Academy of International Trade Law, Macau, July 2008

### Media

Interview on US Supreme Court decision on Habeas Corpus and Guantanamo Bay detainees, *SBS Radio*, 13 July 2008

Interview with Lindy Burns, *Drivetime*, 774 ABC, Tony Mokbel's extradition and human rights, 20 May 2008

### Paper

'World Trade Organization and Human Rights' presented at *Strategies for the Future: Protecting Human Rights in the Pacific*, Insel Fehmarn Hotel, Apia, Samoa, 29 April 2008

### Submission

Submission to the Australian Government, Attorney-General's Department, Human Rights Unit, regarding the *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment – National Interest Analysis*, (with A. Pung), 17 June 2008

### Training

Provision of Human Rights Training for DFAT, Canberra, 4-5 September and 1-2 October, 2008

## Anna Kaempf

Submission to the Australian Government, Attorney-General's Department, Disability Discrimination Section, regarding the *Possible Ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD)*, 11 March 2008

## Susan Kneebone

### Chapter

'The trafficking dialogue: Women as agents, victims and refugees' in F. Crepeau et al (eds) *La dynamique complexe des migrations internationales* (Presses de l'Université de Montreal, 2008)

'Combating Transnational Crime in the Greater Mekong Sub-Region: The Cases of Laos PDR and Cambodia', in Les Holmes (ed) *Trafficking and Forced Migration: Australian, European and Global Perspectives*, (Edward Elgar, 2008) (with J. Debeljak)

'The Legal and Ethical Implications of Ex-

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traterritorial Processing of Asylum Seekers: The "Safe Third Country" Concept', chapter 5 in J. McAdam (ed) *Moving On: Forced Migration, Human Rights and Security* (Hart Publishing, Oxford, 2008)

## General

'Trafficking in the Greater Mekong Sub-Region' talk presented to *Immigration Legal Practitioners Association*, London, 11 June 2008

## Papers

'Non-State Actors and State Responsibility – 'Well-founded Fear of being Persecuted' and the Refugee Definition', *Best Practices for Refugee Status Determination: Principles and Standards for State Responsibility Conference*, Monash Prato, Italy, May 2008

'Migration Control at Sea – the Australian case' presented at the *Extra-territorial Migration Law Workshop*, Queen Mary College, London, 13 June 2008

## Submission

Submission to the Commonwealth Joint Standing Committee on Immigration regarding the *Inquiry into Immigration Detention in Australia*, (with C. Liaskos and J. Voon), 29 July 2008

## Joanna Kyriakakis

'Corporations and the International Criminal Court: The Complementarity Objection Stripped Bare', (2008) 19 (1) *Criminal Law Forum* 115-151

## Adam McBeth

### Article

'Crushed by an Anvil: A Case Study on Corporate Responsibility for Human Rights in the Extractive Sector', (2008) 11 *Yale Human Rights and Development Law Journal* 127-66

### Media

Interview with *Radio Adelaide, Breakfast Show*, regarding humanitarian intervention in Zimbabwe, 3 July 2008

Interview with news agency *ADN Kronos International, Rome*, regarding the Australian government's proposal to take Mahmoud Ahmadinejad to the International Court of Justice or the International Criminal Court, 28 May 2008

Interview with *Australian Jewish News* regarding the Australian government's proposal to take Mahmoud Ahmadinejad to the International Court of Justice or the International Criminal Court, 20 May 2008

### Papers

'A Right by Any Other Name: The Evasive Engagement of the International Financial Institutions with Human Rights' presented to *University of Oslo and George Washington University conference Transnational Corporate*

*Responsibility for the 21<sup>st</sup> Century*, George Washington University, Washington DC, 8 April 2008

'Every Organ of Society: The Responsibility of Non-State Actors for the Realization of Human Rights' presented to *Hamline Journal of Public Law and Policy Symposium 'The Universal Declaration of Human Rights: A Reality Check'*, Hamline University, St Paul, Minnesota, 14 March 2008

'Crushed by an Anvil: A Case Study on Corporate Responsibility for Human Rights in the Extractive Sector' presented to *Yale Human Rights and Development Law Journal Symposium, 'Corporate Social Responsibility in the Extractive Industries'*, Yale University, New Haven, Connecticut, 8 March 2008

### Training

Provision of Human Rights Training for DFAT, 5 September and 1-2 October, 2008

Training for officers of the Iraqi Ministry of Human Rights on 'Corporations, international trade and human rights' as part of the *Rehabilitation Assistance Facility: Iraq* project, Melbourne, 25 August 2008

## Bernadette McSherry

### Articles

'Mental Health and Human Rights: The Role of the Law in Developing a Right to Enjoy the Highest Attainable Standard of Mental Health in Australia' (2008) 15(5) *Journal of Law and Medicine* 773-781

'The UN Convention of the Rights of Persons with Disabilities' (2008) 16(1) *Journal of Law and Medicine* 17-20

## Tania Penovic

'Mental Harm as an instrument of Public Policy' (2008) 15(1) *Psychiatry, Psychology and the Law* 140-152

## Marius Smith

### Book

Castan Centre for Human Rights Law conference publication *Human Rights 2007: The Year in Review*, M. Smith and E. Contini (eds) (2008)

### Training

Training for officers of the Iraqi Ministry of Human Rights as part of the *Rehabilitation Assistance Facility: Iraq* project, Melbourne, 25 August 2008

### Other Research

LLM thesis *'Would You Like Guns With That? A Review of the Burgeoning Military Involvement in the Direct Delivery of Humanitarian Aid'*, Faculty of Law, Monash University, awarded September 2008

## Castan Centre Associates

Dr Heli Askola  
Dr Patrick Emerton  
Ms Azadeh Dastyari  
Ms Tania Penovic  
Mr David Yarrow

## Law Faculty Centre Members

Becky Batagol  
Joanna Becker  
Dr Gideon Boas  
Dr Yet Bryant  
Rowena Cantley-Smith  
Dr Jonathan Clough  
Professor Jeffrey Goldsworthy  
Stephen Gray  
Kathryn James  
Professor HP Lee  
David Lindsay  
Oyiela Litaba  
Professor Bernadette McSherry  
Kwame Mfodwo  
Professor Ann Monotti  
Dr Bronwyn Naylor  
Dr Pam O'Connor  
Maria O'Sullivan  
Jenny Schultz  
Dr Adiva Sifris  
Professor Francis Trindade

## Postgraduate Members

Nicole Bieske  
Michael Eburn  
Ekram Haque  
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Susannah Jacobson  
Annegret Kaempf  
Sarah Kernot  
Joanna Kyriakakis  
Sunil Rao  
Liz Richardson  
Ronli Sifris  
Nicky Walker  
Jamie Walvisch  
Debbie Wilson

## In-House Interns Winter/Sem 2

Christopher Liaskos  
Jian Yang Voon  
Sarah Austin  
Jonathan Devenish  
Sophie Herreen  
Lisa Lee  
Senthuren Mahendren  
Sebastian Quinn  
Felicity Simons  
Alexandra Jannetto  
Smriti Sriram