

Publications and other activities by centre faculty members

Heli Askola

Book chapters

'Human Rights and Globalisation', in A. Rahman Chowdhury & Jahid Hossain Bhuiyan, eds. *Introduction to International Human Rights Law* (Brill, 2010)

Articles

"'Illegal Migrants'", Gender and Vulnerability: The Case of the EU's Returns Directive' (2010) *Feminist Legal Studies* 18(2), 159-178

Gideon Boas

Book chapters

'Omission Liability in International Criminal Law – A Case for Reform', in Shane Darcy and Joseph Powderly, *Judicial Creativity at the International Criminal Tribunals* (Oxford University Press, in press 2010), 15 pages

'Command Responsibility for the Failure to Stop Atrocities: The Legacy of the Tokyo Tribunal' in Yuki Tanaka, Timothy LH McCormack and Gerry Simpson (eds), *Beyond Victors' Justice? The Tokyo War Crimes Trial Revisited* (Martinus Nijhoff, in press 2010), 163-173

'The difficulty with individual criminal responsibility in international criminal law' in Carsten Stahn and Larissa van den Herik (eds.), *Future Perspectives on International Criminal Justice* (Cambridge University Press, 2010), 501-519

'Commentary' – contempt, false testimony and misconduct, in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of international Criminal Tribunals: The Special Court for Sierra Leone 2004-2006* (Intersentia, 2010), 676-682

Articles

'Self-representation before the ICTY: a case for reform' (2010) 5 *Journal of International Criminal Justice*, 1-31

'War Crimes prosecutions in Australia and other common law countries: some observations' (2010) 21 *Criminal Law Forum*, 313-330.

Melissa Castan

Articles

'Law, advocacy and the Brave New World' (2010) 35(4) *Alternative Law Journal*

'Remembering the Rule of Law' (2010) 35(4) *Alternative Law Journal*

'First Year Law students: an empirical study of expectations and realities' with Jeannie Paterson et al vol 20 (2) 2010 *Legal Education Review* 1

Lead Editor for (2011) 36 (1) *Alternative Law Journal*

Media

Interview on ABC 7pm news on Aboriginal Community in Lake Tyres return of democracy, 18 March 2011

Blogs

'The High Court and the Freedom of Political Communication', *Castan Centre for Human Rights Law Blog*, WordPress, 5 December 2010

'Remembering the Rule of Law', *Castan Centre for Human Rights Law Blog*, WordPress, 16 November 2010

Erica Contini

Submissions

E. Contini and S. Joseph, Castan Centre for Human Rights Law, Submission to the Tasmanian Community Consultation, *A charter of human rights and responsibilities for Tasmania*, 30 November 2010

Blogs

'Debunking a scare campaign: an exchange between a US Senator and his US constituent over the Gitmo trials' *Castan Centre for Human Rights Law Blog*, WordPress, 20 January 2011

Julie Debeljak

Article

'Who Is Sovereign Now? The Momcilovic Court Hands Back Power Over Human Rights That Parliament Intended It To Have' (2011) 22(1) *Public Law Review* 15-51

Submissions

Submission on the Directions Paper of the Department of Justice of Tasmania, *A charter of human rights and responsibilities for Tasmania*, 29 November 2010, 1-34

Patrick Emerton

Submission

Submission to the Senate Legal and Constitutional Affairs Committee, *Inquiry into the Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010*, November 2010

Paula Gerber

Book

P. Gerber and A. Sifris (eds), *Current Trends in the Regulation of Same-sex Relationships* (2010) Federation Press, Sydney

Book chapters

'The Best Interests of the Child in Same-sex Families' in Gerber, Paula and Sifris, Adiva (eds) *Current Trends in the Regulation of Same-Sex Relationships* (2010) Federation Press, Sydney, 28-42

'The Winds of Change are Blowing' in Gerber, Paula and Sifris, Adiva (eds) *Current Trends in the Regulation of Same-Sex Relationships* (2010) Federation Press, Sydney, 1-7

Articles

P. Gerber and B. Chen, 'Recognition of the Human Right to Water: Has the Tide Turned?' (2011) 36(1) *Alternative Law Journal* 21-26

Conference Paper:

'The Case for Same-sex Marriage' at *Progressive Law Network: Legal (r) Evolution*, Melbourne, 19 March 2011

Submissions

Submission to the Tasmanian Community Consultation, *A charter of human rights and responsibilities for Tasmania*, Dec 2010

Blog

'Opening up Marriage to Same-Sex Couples', *Castan Centre for Human Rights Law Blog*, WordPress, 17 November 2010

Stephen Gray

Book

The Protectors, Allen & Unwin, 2011

Book chapters

'The Albino and the Story-teller: Eugenics and the Best of Intentions in 1930s Darwin', in Russell West-Pavlov and Jennifer Wawrzinek (eds), 'Frontier Skirmishes: Literary and Cultural Debates in Australia after 1992', Universitätsverlag Heidelberg, 2010, pp. 295-311.

Articles

'Ferdinand von Schirach, Crime', in (2011) 36:1 *Alternative Law Journal* 72

"'Far too little Flogging": Chinese and the Criminal Justice System in the Northern Territory', (2011) 22 *Journal of Northern Territory History* 1-34.

Book reviews

'A Culture Condemned: review of Gary Johns, 'Aboriginal Self-Determination: The Whiteman's Dream', *Weekend Australian Review*, 30 April 2011

Bryan Horrigan

Submissions

Public submission to the Senate Legal and Constitutional Affairs References Committee for its *inquiry into the Australian Law Reform Commission*, cited by the Committee in its final report (April 2011).

Submission to the Senate Scrutiny of Bills Committee for its *inquiry into its own future and functions, in light of the proposed joint parliamentary committee on human rights*.

Sarah Joseph

Book

Blame it on the WTO: A Human Rights Critique (OUP, Oxford, 2011)

Book chapters

'Civil and Political Rights', in Mashood Baderin and Manisuli Ssenyonjo (eds), *International Human Rights Law: Six Decades after the UDHR*, (Ashgate, 2010), 89-106

'Scope of Application', in D. Moeckli, S. Shah and S. Sivakumaran (eds), *International Human Rights Law* (OUP, 2010) 150-170

'United Nations Treaty Bodies and Labour Rights', in C. Fenwick and T. Novitz (eds), *Human Rights at Work: Perspectives on Law and Regulation* (Hart, Oxford, 2010) 331-358

Articles

'Sport and Human Rights: Closer than you Think', (2010) 35 *Alternative Law Journal*, Vol 4, 235-236

'Social media and human rights', *Law Matters*, May 2011

'Social media and human rights', *Human Rights Law Centre Bulletin*, May 2011

Submissions

S. Joseph and A. McBeth, Submission to the Office of the High Commissioner for Human Rights on behalf of the Castan Centre for Human Rights Law on *The Draft Guiding Principles on Business and Human Rights*, January 2011

S. Joseph, Submission to the Office of the High Commissioner for Human Rights on behalf the Castan Centre on the *Human Rights Committee's Draft General Comment 34 on Freedom of Expression*, January 2011

S. Joseph (main author), 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

Seminar

'Tweeting the revolution: social media and human rights', *Castan Centre/Human Rights Law Review Seminar*, Monash University Law Chambers, 5 April 2011

Blogs

'The UN, Executions, and GLBT rights', *Castan Centre for Human Rights Law Blog*, WordPress, 23 November 2010

'Defamation, Twitter and Free Speech', *Castan Centre for Human Rights Law Blog*, WordPress, 28 November 2010

'Developments in Twitter Defamation Case', *Castan Centre for Human Rights Law Blog*, WordPress, 1 December 2010

'Reflections on WikiLeaks', *Castan Centre for Human Rights Law Blog*, WordPress, 10 December 2010

'The Giffords shooting: a view from the Antipodes' *Castan Centre for Human Rights Law Blog*, WordPress, 11 January 2011, (reprinted in Online Opinion on 14 January at its editor's request)

'Tweeting human rights and two Revolutions (so far)' *Castan Centre for Human Rights Law Blog*, WordPress, 12 February 2011

'Chris Mitchell should put up rather than shut up' *Castan Centre for Human Rights Law Blog*, WordPress, 3 March 2011

'Humanitarian Intervention in Libya' *Castan Centre for Human Rights Law Blog*, Word Press, 18 March 2011, (reprinted in Online Opinion on 23 March at its editor's request)

'The dilemma of humanitarian intervention', *E-International Relations*, guest blog, 27 March 2011

Susan Kneebone

Book chapters

S. Kneebone and M. O'Sullivan, 'Commentary on Article 1C' for Andreas Zimmermann ed, *The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol: A Commentary* (OUP, 2010)

S. Kneebone and N. Ca'ami, 'Immigration Laws' in Markus, A. and Semyonov, M. eds., *Immigrants and Nation Building: Australia and Israel Compared* (Edward Elgar 2011), Chapter 2, pp. 46-68

Conference

Panel member on refugee rights for *Progressive Law Network conference* with Julian Burnside QC and Brian Maters QC on 19 March 2011

Other

Guest Editor of a Special Edition of *Refugee Survey Quarterly* on 'Governance Beyond Boundaries'

Bronwyn Naylor

Articles

'Effective Justice for Victims of Sexual Assault: Taking up the Debate on Alternative Pathways' (2010) 33(2) *University of New South Wales Law Journal* 662-684

'Criminal Records and Rehabilitation in Australia' (2011) 3/1 *European Journal of Probation* 79-96

Paper

'Law reform and justice for victims of sexual assault: the case for alternative pathways' *Progressive Law Network 'Legal (r)Evolution' Symposium* 19 March 2011

Submission

Submission (invited) to Standing Committee on Law and Justice, Parliament of NSW, *Spent convictions for juvenile offenders* (Report July 2010)

Media

'Comment on Defensive Homicide' Radio National PM, 4 March 2011

Tania Penovic

Book Review

Human Rights and the Unborn Child, Rita Joseph, (Martinus Nijhoff, 2009), *Human Rights Quarterly* 33 (2011) 229-242

Submission

Submission to House of Representatives Standing Committee on Social Policy and Legal Affairs into the *Regulation of Billboard and Outdoor Advertising*, February 2011

Appearance before House of Representatives Standing Committee on Social Policy and Legal Affairs into the *Regulation of Billboard and Outdoor Advertising*, 4 April 2011

Roundtable

Harvard-Australia symposium on media use and children's well-being, participant in round table consultations, April 2011

Marius Smith

Submissions

M. Smith and E. Contini, Submission to the Attorney General's Department, *A new National Human Rights Action Plan for Australia, Background Paper*, 11 February 2011

Blogs

'Eritrea: All that potential, and so little to show for it', *Castan Centre for Human Rights Law Blog*, WordPress, 14 December 2010

'Swaziland, where it's good to be the king', *Castan Centre for Human Rights Law Blog*, WordPress, 29 April 2011