

Taking human rights from Field to Journal

By André Dao

For the second year running, the Castan Centre helped two Monash Law alumni to bring their experience working in the field in human rights to an academic journal. The Centre awarded two \$3,500 bursaries for the successful candidates to publish an academic paper of between 6000 and 8000 words on a topic related to their work.

The 2012 recipients were Afrooz Kaviani Johnson and Shireen Morris, who were also awarded the title of Castan Centre Honorary Associate. They are fine examples of the outstanding, committed people working in the broad field of human rights with whom the Castan Centre liaises in the course of its work. Often these people have implemented human rights law and theory in their work and have the knowledge to evaluate the application of human rights in practical situations.

The *Field to Journal* project aims to give field workers with the best ideas and analyses of current human rights issues the assistance needed to engage with the human rights community by publishing in academic journals.

While our policy and public education programs endeavour to make academic work accessible to the general public, *Field to Journal* seeks to make the ideas of field workers more accessible to academics and others working in the human rights field. In short, this program helps to fulfil the Castan Centre's aim of breaking down barriers between different groups of people who work in human rights, or have a strong interest in the area.

Afrooz is Regional Technical Director of *Project Childhood – Prevention Pillar*, an Australian AID initiative implemented by World Vision. Project Childhood covers Cambodia, Lao PDR, Thailand and Vietnam and works against child sexual exploitation in travel and tourism. Based in Bangkok since February 2011, Afrooz provides technical direction and advice for the four-country program; leading research initiatives, private sector engagement, curriculum development, communications and education initiatives, and monitoring and evaluation.

Afrooz also worked on a previous AusAID project against child sexual exploitation that covered all ten Southeast Asian countries. Immediately prior to moving to Bangkok, Afrooz was a Senior Investigator and Conciliator at the Australian Human Rights Commission. She previously worked as a lawyer at Clayton Utz in its Workplace Relations, Employment and Safety Practice. Afrooz completed her law studies at Monash University in 2004 and graduated with a Juris Doctor. She also holds a Master of Social Science (International Development).

Afrooz chose to write about protecting children's rights in Southeast Asian tourism destinations. She said that "while tourism has brought many benefits to the region, without strong child protection systems, children have been vulnerable to abuse and exploitation." Pointing out that while much of the dominant discourse "has focused on accounts of children being sexually exploited by foreign tourists", she explained that there is "growing recognition that protecting children's rights in tourism is not only about protecting them from sexual exploitation". She said that

her article aims to "draw attention to other concerning violations of children's rights in the tourism context". She will reflect on the "progress to protect children's rights in tourism over the last few decades" and hopes to present a "'next generation' response that recognises the interlinked nature of the various forms of abuse and addresses the underlying vulnerabilities and enabling factors that allow abuse to occur".

Shireen is the Constitutional Reform Research Fellow at Cape York Institute for Policy and Leadership (CYI). As a law student, Shireen was introduced to CYI after spending six weeks volunteering there as part of the Aurora Native Title Internship Program, and has now worked at CYI for two years. She completed her law degree in 2011 and was admitted to practice in the Victorian Supreme Court in 2012.

Led by influential Indigenous leader Noel Pearson, CYI is an Indigenous organisation focussing on Indigenous policy development and advocacy to improve Indigenous outcomes, community development and wellbeing in Australia, with a particular local focus on the Indigenous communities of Cape York in far north Queensland. CYI conducts research and policy in welfare reform, economic development, community development and enhancing capabilities in Indigenous communities, land rights and land reform, native title rights and advocacy, language development, education outcomes, and constitutional recognition of Indigenous peoples – which is Shireen's primary area.

Shireen's work in constitutional reform focuses on securing equality before the law for all Australians, without discrimination on the illegitimate basis of 'race', while also ensuring the recognition of unique Indigenous heritage, culture and languages as part of Australia's heritage and national identity.

Shireen has published papers on constitutional reform for the *Indigenous Law Bulletin*, the *Alternative Law Journal* and has also published an AIATSIS research paper re-analysing *Mabo*. She has presented on constitutional reform at several conferences, including the ANU Public Law: Law and Democracy Conference in 2011.

Shireen chose to write on the topic: "Racial discrimination, freedom of speech and Australian democracy: making the case for constitutional reform to ensure equality before the law". She hopes that her article will "provide balance to the debate around an entrenched prohibition of racial discrimination in law and policy". In particular, she said that "through analysis of recent controversial High Court cases and related public commentary", she wishes to "respond to those who argue that a constitutional guarantee of racial non-discrimination would be undemocratic, would inhibit freedom of speech, and would give too much power to 'unelected judges'".

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