

Publications and Other Activities by Centre Faculty Members

MELISSA CASTAN

Books

Melissa Castan and Paula Gerber (eds) *Proof of Birth* (2015) Future Leaders, Melbourne

Book Chapters

'The Right to Universal Birth Registration in Australia', Chapter 1 in Paula Gerber and Melissa Castan (eds) *Proof of Birth* (2015) Future Leaders, Melbourne. (With Paula Gerber)

'Registering the Births of Indigenous Australians in Victoria' Chapter 3 in Paula Gerber and Melissa Castan (eds) *Proof of Birth* (2015) Future Leaders, Melbourne. (With Paula Gerber)

'The way Forward' Chapter 12 in Paula Gerber and Melissa Castan (eds) *Proof of Birth* (2015) Future Leaders, Melbourne. (With Paula Gerber)

JULIE DEBELJAK

Article

'The Rights of Prisoners under the Victorian Charter: A Critical Analysis of the Jurisprudence on the Treatment of Prisoners and Conditions of Detention', (2015) 38 *University of New South Wales Law Journal* 1332-85

Submission

'Eight-year Review of the Charter of Human Rights and Responsibilities Act 2006 (Vic)', a Submission to the Independent Reviewer of the Charter, June 2015, pp 1- 49.

Other

Panellist, 'Charter Review Report', presented as part of the Victorian Public Service Human Rights Network run by the Victorian Equal Opportunity and Human Rights Commission, Melbourne 28 October 2015

PAULA GERBER

Article

'Birth Certificates for Children with Same-sex Parents: A Reflection of Biology or Something More?' (2015) 18(2) *New York University Journal of Legislation & Public Policy* 222. (With Phoebe Irving Lindner)

Books

Melissa Castan and Paula Gerber (eds) *Proof of Birth* (2015) Future Leaders, Melbourne.

Paula Gerber and Katie O'Byrne (eds) *Surrogacy, Law and Human Rights* (2015) Ashgate Publishers, UK.

Book Chapters

'Surrogacy and Human Rights: Contemporary, Complex, Contested and

Controversial' in Gerber, Paula and O'Byrne, Katie (eds) *Surrogacy, Law and Human Rights* (2015) Ashgate Publishers, UK. (With Katie O'Byrne)

'Souls in the House of Tomorrow: The Rights of Children born via Surrogacy' in Paula Gerber and Katie O'Byrne (eds) *Surrogacy, Law and Human Rights* (2015) Ashgate Publishers, UK. (With Katie O'Byrne)

'The Right to Universal Birth Registration in Australia', Chapter 1 in Paula Gerber and Melissa Castan (eds) *Proof of Birth* (2015) Future Leaders, Melbourne. (With Melissa Castan)

'Registering the Births of Indigenous Australians in Victoria' Chapter 3 in Paula Gerber and Melissa Castan (eds) *Proof of Birth* (2015) Future Leaders, Melbourne. (With Melissa Castan)

Melissa Castan and Paula Gerber 'The way Forward' Chapter 12 in Paula Gerber and Melissa Castan (eds) *Proof of Birth* (2015) Future Leaders, Melbourne. (With Melissa Castan)

Submission

Submission to the Department of Health and Human Services, Victoria, Review of the *Assisted Reproductive Treatment Act 2008* (September 2015).

Media

'Out of the Frying Pan into the Fire: The Plight of LGBTI Refugees', *The Conversation*, 29 June 2015.

'No Andrew, it is not the responsibility of the LGBT community to help you hang on to your 1950s ideal of marriage' *Castan Centre Blog*, 1 June 2015.

'With no Coalition free vote, where to now on the road to same-sex marriage?' *The Conversation*, 12 August 2015.

Appearance

Appeared before Legal and Constitutional Affairs References Committee on *Matter of a popular vote, in the form of a plebiscite or referendum, on the matter of marriage in Australia* (10 September 2015).

SARAH JOSEPH

Book chapter

'The Rule of Law', in Melissa De Zwart, Bernadette Richards and Suzanne Le Mire (eds), *Law and Popular Culture* (LexisNexis, 2015), 159-173.

Conference Paper

"The Drownings Argument", *Castan Centre for Human Rights Law Annual Conference*, The Edge, Melbourne, 24 July 2015.

"Art and Human Rights", Keynote, "Art and

Human Rights Summer School", *National University of Ireland, Galway*, 12 July 2015.

"Magna Carta at 800 years old", *Supreme Court Library, Victoria*, 15 June 2015.

Submission

Submissions to the Australian Law Reform Commission on Traditional Rights and Freedoms, February and September 2015 (with Adam Fletcher)

Media

"On the ground at Australia's Universal Periodic Review", *The Conversation*, 12 November 2015.

"Australia's Bid for the Human Rights Council", *The Conversation*, 30 September 2015.

"A constitutional referendum: a Hail Mary for those opposed to same sex marriage", *The Conversation*, 14 August 2015.

"Operation Sovereign Borders, offshore detention and the "drownings argument", *The Conversation*, 24 July 2015.

Other

"Charlie Hebdo: the pen must defy the sword", in John Watson (ed), *The Conversation Yearbook 2015: Politics Policy & the Chance of Change* (MUP, 2015).

"The Racial Discrimination Act: A 1970s Perspective", in *Perspectives on the Racial Discrimination Act* (AHRC, Sydney, 2015), 32-39.

BRONWYN NAYLOR

Article

'A Strategic Framework for Implementing Human Rights in Closed Environments: A Human Rights Regulatory Framework and its Implementation', (2015) 41 *Monash University Law Review* 218-70. (With Julie Debeljak and Anita Mackay)

Book chapter

'The Effects of the 2005 Reforms on Legal Responses to Women Who Kill Intimate Partners' (Danielle Tyson, Debbie Kirkwood, Mandy McKenzie and Bronwyn Naylor) in Fitz-Gibbon and Freiberg (eds) *Homicide Law Reform in Victoria: Retrospect and Prospects* Federation Press.

Conference Papers

'Community-Based, Victim-Centred Restorative Justice for Sexual Violence – a pilot project' Conference Paper, *European Society of Criminology*, Porto, Portugal 3 September 2015.

'Implementing Human Rights in Prisons' Conference Paper, *ICPA (International*

Corrections and Prisons Association) Conference, Melbourne, 26 October 2015.

'Researching Human Rights in Prisons' Conference Paper, *European Society of Criminology*, Porto, Portugal 3 September 2015.

Other

Speaker, Liberty Victoria and Wheeler Centre Seminar 'Beyond Bars: Reflecting on the Rights of Victoria's Prisoners', 1 July 2015.

'Children as victims of justice: children of offenders at their parents' arrest, bail and sentencing' Seminar, *Centre for the Rights of the Child*, University of Stockholm, Sweden. 9 September 2015.

'Researching Human Rights in Prisons' Seminar, *Department of Criminology, University of Stockholm*, Sweden, 11 September 2015.

'Restorative justice options for victims of sexual violence' Seminar, *Law Faculty, University of Strathclyde*, 6 October 2015.

'Protecting human rights in closed environments', Seminar, *Law Faculty University of Strathclyde*, 7 October 2015.

KATIE O'BYRNE

Book Chapters

'Surrogacy and Human Rights: Contemporary, Complex, Contested and Controversial' in Gerber, Paula and O'Byrne, Katie (eds) *Surrogacy, Law and Human Rights* (2015) Ashgate Publishers, UK. (With Paula Gerber)

'Souls in the House of Tomorrow: The Rights of Children born via Surrogacy' in Paula Gerber and Katie O'Byrne (eds) *Surrogacy, Law and Human Rights* (2015) Ashgate Publishers, UK. (With Paula Gerber)

MARIA O'SULLIVAN

Media

'European Asylum Policy: Migrant crisis: refugee lawyer says EU too disjointed to manage influx in people', Interview: ABC Radio, The World Today, 24 September 2015.

Interview: 'The European Migrant Crisis', SBS Television ('The Feed'), 3 September 2015

TANIA PENOVIC

Other

"Immigration Detention: Addressing and Redressing Neglect and Abuses." presented to Amnesty International East Central, 17 August 2015

RONLI SIFRIS

Article

'Tasmania's Reproductive Health (Access to Terminations) Act 2013: An Analysis of Conscientious Objection to Abortion and the "Obligation to Refer"' (2015) 22(4) *Journal of Law and Medicine* 900-914

'Involuntary Sterilization of HIV-Positive Women: An Example of Intersectional Discrimination' (2015) 37(2) *Human Rights Quarterly* 464-491

Other

Panelist, 21st Century Babies (Melbourne, November 2015) (*Commercial Surrogacy: A Human Rights Perspective*)



Five questions for:

Caitlin McInnis

How did you become interested in human rights?

My interest in human rights comes from a fascination in history and philosophy that I developed at a young age. As a result of studying events such as the Holocaust, and ideas from writers such as Hannah Arendt I have been lead to consider human rights an integral and unquestionable aspect of humanity. In the modern world of open communication and information accessibility, I believe you cannot feign ignorance. Human rights are an issue that cannot be ignored.

What were you doing before working here?

Before working for the Castan Centre I have been completing an Arts/Law degree at Monash University. As well as studying I have taken part in two Monash Comedy Law Revues, travelled, worked part time in a café and volunteered at the Mental Health Legal Centre (where I still volunteer today) among other things.

Who is your human rights hero?

The first person who springs to mind is David Manne and so I am going to say that he is my human rights hero. His work in the field of refugee rights is incredibly important. He has to – metaphorically speaking – constantly hit his head against one of the most frustrating human rights walls that currently exists in this country and he never seems to tire.

If you could bring one issue to the Australian people's attention, what would it be?

The unacknowledged privilege of white-straight-cis-gendered Australians. I think that a large majority of the population live entirely unaware of the privilege they hold as white-skinned Australians. This has negative implications for human rights in Australia as racism influences refugee policies, Indigenous issues are ignored and prejudice still exists towards members of the LGBTIQ community.

If money was no object, what would you do with your life?

I would make sure I never had to go through winter ever again. I hate the cold and so would move once a year to avoid it. That and become a celebrated public figure known for my wit, perceptive armchair philosophy and magnanimous philanthropy and charity.