

Law Matters

December 2003 News from the Monash Law School community



The Monash University Law Chambers officially opened its doors in July.

Building on tradition Monash launches CBD Law Chambers

The Monash University Law Chambers were officially opened in July by Federal Treasurer and Monash Alumnus, The Hon. Peter Costello, MP ('80).

Mr Costello joined Vice-Chancellor Professor Peter Darvall, Deputy Vice-Chancellor and preceding Dean of Law, Professor Stephen Parker, senior lawyers, academics and postgraduate students at the ceremony.

Behind the period façade of the Equity Trustees Building at 472 Bourke Street, the refurbished Monash Law Chambers provides postgraduate law students with first-class facilities in the heart of Melbourne's legal district.

Mr Costello praised Monash Law School's commitment to its postgraduate students, describing their further education as inspirational. "It gives these members of the legal profession exposure to fertile issues that are stimulating and add to their knowledge," he said.

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Events

DECEMBER

3 - 18 December

Intellectual Property Seminars
Ph: (03) 9641 6204

3 & 10 December

Postgraduate drop-in information sessions
Monash Law Chambers
Ph: (03) 9641 6204

4 December

Castan Centre for Human Rights Law
Conference:
Human Rights 2003: The Year in Review
Ph: (03) 9904 4366

9 December

Monash Alumni Association
end-of-year celebration,
Victorian Club, Melbourne.
Ph: (03) 9876 7576

JANUARY

22 January

Postgraduate drop-in information session
Monash Law Chambers
Ph: (03) 9641 6204

MARCH

18 March

Costello Lecture
Ph: (03) 9641 6202

“Monash Law Chambers provides first-class facilities in the heart of the CBD”

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Professor Parker admired the convenient location of the law chambers, saying postgraduate students can walk from their work in the city to the Chambers, where they can study or take part in Monash conferences and seminars.

The Chambers also provide Monash law postgraduates with access to all the university's study facilities, including online access to its libraries, in a central location.

The new facility is fitted with state-of-the art computer laboratories, modern conference rooms, meeting spaces and study rooms.



Pictured at the official opening of the Monash Law Chambers, from left: Professor Peter Darvall, The Hon. Peter Costello, MP and Professor Stephen Parker.

A Message from the Editor

It is a great pleasure to welcome readers to Monash Law School's new look alumni newsletter.

Law Matters will now be published three times a year and distributed to approximately 8000 Monash Law alumni.

By giving the publication a fresh image we aim to keep you up-to-date on news from the Law School community.

The publication will also celebrate the achievements of your fellow Monash Law graduates by highlighting the individual projects and successes of different alumni around the world.

Courses and workshops will also be promoted through the newsletter allowing you to reconnect with former peers and keep abreast of the professional development options available through Monash Law School.

Law Matters is intended for all former students and we encourage contributions from Monash staff, alumni and industry professionals. You will find details for forwarding contributions in the box below.

Happy reading, we hope you enjoy this first edition of *Law Matters*.

Editor, *Law Matters*

Calling all Alumni

A new committee has come together to reinvigorate our Law Alumni activities and will be responsible for helping alumni to maintain valuable contacts with fellow graduates.

The group will be involved in organising events, seminars, lectures, social networking activities and gathering news, while also ensuring graduates are kept up-to-date on the relevant professional development courses that Monash can provide.

If you are interested in becoming a member, contact Janet Harris on 9641 6203.

Something to say?

Want to include something in the next edition of *Law Matters*?

If you have an interesting story or something you wish to say, please contact Jodi on 9905 2630 or email jodi.rockman@law.monash.edu.au

Every effort will be made to include contributions however space is limited. Please understand that items may be edited or not included.

Monash appoints new Dean of Law

Monash Law School welcomes Professor Arie Freiberg who has been appointed as the new Dean of Law commencing in January 2004. Professor Freiberg replaces Professor Stephen Parker who has taken up his new position as Deputy Vice-Chancellor of Monash University.

Professor Freiberg, an international authority on sentencing and white-collar crime, authored the significant Sentencing Review *'Pathways to Justice'* for the Victorian Government in 2002.

He is currently Dean of the Faculty of Arts at the University of Melbourne, and spent 15 years at Monash from 1976 to 1990.

Professor Freiberg said he was delighted to be returning to Monash and is eager to develop the Law School as an interdisciplinary faculty.

"Monash University has an excellent reputation for teaching and research and an enviable international profile," he said. "Law is increasingly viewed as a generalist degree and graduates go on to a wide variety of careers – one rarely finds

problems that are solvable out of a single discipline, and it is important that we recognise this fact and offer a range of skills and studies."

Monash University's vice-chancellor, Professor Richard Larkins congratulated Professor Freiberg on his appointment and said he was looking forward to working with him as Dean.

"I would also like to take this opportunity to thank his predecessor, Professor Stephen Parker, for his excellent service to the university," he said.

Acting Dean of Law, Professor HP Lee said Professor Parker had brought with him a clear mission to implement a more competitive and performance-oriented Law School and during his five-year term as Dean, the Faculty had undergone breathtaking changes.

"Stephen has been an articulate and vocal spokesperson for the Law School. He has tremendous energy, is highly creative and is an effective communicator.

"On behalf of the Faculty and of the Faculty Board, I would like to express our deep appreciation of the contributions Stephen has made to the Law School.

"I would also like to welcome Professor Freiberg back to the Faculty as Dean and I look forward to working with him in the New Year," said Professor Lee.



Professor Arie Freiberg



Professor Stephen Parker

40 years of excellence a reason to celebrate

From the first lecture on *The Legal System*, in March 1964, Monash University's Law School has grown from strength to strength.

Since the initial intake of 150 students 40 years ago, the school has developed into a reputable place of learning with over 2000 students currently enrolled.

In celebration of Monash Law School's anniversary, we are planning a number of events to be hosted throughout 2004.

The Costello Lecture will be held on Thursday, 18 March and will address issues relating to ethics and social justice.

A vibrant and dynamic speaker, Fr Nic Frances MBE, Executive Officer of the Brotherhood of St. Laurence will give a special presentation. Keep posted for the lecture time and venue.

The 40 year celebrations will also include a reunion for the first graduates of the Law School.

Those interested in attending or helping to organise the event should contact the Faculty on 9641 6203.

Photographs and other memorabilia from the early years of Monash Law, particularly informal photos taken on campus or at student events are being gathered for the celebrations. Alumni willing to loan the Faculty their keepsakes from the early Monash Law days are encouraged to forward their memorabilia to Janet Harris, 472 Bourke Street, Melbourne 3000.

Become a mentor

The Law School is urging alumni to become involved in the Law Mentor Scheme. Connecting current students with alumni, the scheme provides students with an opportunity to discover career pathways and opportunities. Talking to someone who has 'been there, done that' can help undergraduate students find direction.

For further information, please contact Janet Harris on 9641 6203 or email janet.harris@law.monash.edu.au.



Brotherhood of St. Laurence Executive Officer, Fr Nic Frances MBE will give a special presentation at the 2004 Costello Lecture.

A source of legal inspiration and compassion Springvale: 30 years on still going strong

Seen as groundbreaking during its conception, Springvale Monash Legal Service (SMLS) celebrated its 30th birthday this year.

Since opening, countless individuals and families have been assisted by the SMLS. In addition, the myriad of Monash law students who have passed through its doors have found a world few of them even realised existed. From the humblest of humble beginnings, SMLS has grown into a vibrant, dynamic legal service, which touches the lives of all who come into contact with it.

SMLS is one of two community legal centres which make up a significant component of Monash Law School's clinical legal education program. The program originated from the principle that students will learn more when they are 'doing'. For the student, it is the first step out of the classroom and into the professional world of dealing with real clients with real legal issues. The skills, knowledge and practical experience they gain from their time at Springvale cannot be found in a textbook or lecture theatre.



Andrew Downie completes part of his clinical legal training at Springvale Monash Legal Service.



Springvale Monash Legal Service Community Development Worker Stratos Hatziefstratiou (back centre) with 2003 semester one students from left: Seng Heng, Caroline Grace, Mai Le, Huong Nguyen, Yi-Bo Kuan and Noeline Perera.

For some, the prospect, and resulting anxiety of a legal problem or court appearance ensures that students begin to understand what it really means to be a lawyer. Meeting a client, understanding the importance of taking proper instructions and realising the significance of researching the law, provides an invaluable experience that many other law students will not face until well after graduation.

The client range is diverse and demanding, many of whom have found themselves in contact with the legal system for the first time. Car accidents, minor crimes and family law cases ensure that students are exposed to a wide range of legal issues. Although clients face complicated legal matters, many just need help in understanding their rights and accessing other community organisations and services specific to particular needs.

Despite the obvious pressures involved in this demanding legal centre, the atmosphere is positive and upbeat. The supervisors and volunteers will often comment on the enthusiasm, dedication and motivation of the students. The team at SMLS, whether paid or unpaid, evoke a tremendous passion and an exceptional sense of community and support. It is refreshing to hear employees refer to their work as "exciting, lively, vibrant and rewarding". It is the huge range of life-experience of all of the staff, volunteers and students, combined with a supportive environment, that ensures a closeness and camaraderie. It is the reason why so many people continue to show up day, after day, after day.



Ross Hyams, director of the service for the past three years, comments, "I have come to realise that a large part of my job involves giving staff, students and volunteers plenty of 'space' and the encouragement to get on with projects and initiatives which inspire and excite them. A brief discussion here, a bit of feedback there and then stand back and watch the creativity flow."

Many past students will often say that when dealing with another professional, and when in the course of conversation both identify themselves as Springvale alumni, an immediate bond is formed as they reminisce over their days at the legal "coal-face".

SMLS has a vibrancy, energy and warmth that provides security and support to many people who are at a vulnerable time in their life. The clinical legal education program leaves an indelible impact on the students participating. Reflective of this is the number of people who volunteer their time to ensure this essential service continues to prosper for the next 30 years and beyond.



Springvale Monash Legal Service Director, Ross Hyams with Legal Practice Manager, Vanessa Sweeny and student Seng Heng.

THANK YOU!

Each June, over recent years, a letter has been distributed to Law Alumni requesting donations to support Monash Law's community legal centres and various scholarships offered by the faculty.

Although grateful for all contributions, SMLS never received more than \$2000.

This year a slightly different approach was taken. Signed by alumnus Jon Faine ('81), the letter related a true story about the assistance SMLS provided to one family in need.

Reminding many graduates of the truly valuable service provided by the staff and students, the story produced an overwhelming response.

Not only did many people ring or send letters to reminisce about their time at Springvale, but donations were also sent. The highest amount ever was raised - over six times more than ever before. An outstanding effort and a reflection of the high regard Springvale holds with many of our Alumni.

All money goes directly to supporting the services at Springvale, so please if you have thought about donating but never got around to it, donations can still be made by contacting Janet Harris on 9641 6203 or janet.harris@law.monash.edu.au.

Law undergraduate named Young Victorian of the Year

First year Law/Science student, Hugh Evans was this year awarded the 2003 Young Victorian of the Year in recognition of his commitment to public and community service.

More recently Hugh was announced as Victoria's Young Australian of the Year and is now in contention to be named National Young Australian of the Year to be announced on Australia Day, 26 January 2004.

Since witnessing the Manila slums in the Philippines during a study tour as a 14-year-old schoolboy, Hugh has dedicated his young life to supporting the educational needs of underprivileged communities.

In 2001 Hugh spent seven months working in the impoverished Embo Valley in South Africa with the rural communities of KwaZulu-Natal. There, local students and community members demonstrated the need to promote education and strive against illiteracy, substance abuse and violence.

After receiving a grant from World Vision, Hugh managed the construction of a community resource centre with

accompanying sports field.

Witnessing the empowering effect this had on the community, Hugh sought to establish The Oak Tree Foundation, Australia's first youth-run aid organisation. The organisation aims to build a worldwide network committed to supporting and empowering young people in developing communities through education.

"Growing up in Melbourne with an excellent education and comparing this to the standards in the developing world, particularly Africa, has made me increasingly aware of my privileged position in society," said Hugh.

"Upon witnessing the devastating classrooms in the area and lack of vocational options I felt a great need to respond in some way."



2003 Young Victorian of the Year, Hugh Evans has dedicated his young life to helping disadvantaged children.

Hugh's work has extended across the greater Monash community. Following a presentation at Monash South Africa, a group of local students established a local Oak Tree group. South African political leader Max Maisela, a new member of the Monash South Africa Board, has also pledged support for the Foundation.

For further information about The Oak Tree Foundation, visit www.theoaktree.org

The year in review – 2003 highlights from the Faculty of Law

'Sawasdee' to Thai Supreme Court delegation

In February, the following five prominent members of the Thai judiciary visited the Law School and met with several students and senior members of the Faculty:

Hon Justice Sermsakdi Pladthura, Chief Justice of the Intellectual Property and International Trade Division of the Supreme Court

Hon Justice Vichai Chuenchompoonut, Chief Justice of the Tax Division of the Supreme Court

Hon Justice Prasobsook Boondech, Presiding Justice of the Supreme Court

Hon Justice Somchai Pongsata, Presiding Justice of the Supreme Court and Secretary General of the Thai Bar Association

Dr Suthiphon Thaveechaiyagarn, Judge of the Office of the President of Supreme Court and Spokesperson for the Judiciary

Mr Tanapat Boondech, Legal Officer of the Supreme Court

Discussions centred on international trade and intellectual property issues, as well as graduate studies and future opportunities for collaboration between Monash Law and the Thai legal system.

Eleventh Lucinda Lecture

The Hon. Michael Black, Chief Justice of the Federal Court of Australia, delivered an illuminating and humorous address entitled 'Such other Federal Courts as the Parliament creates: a hundred years of evolution' to over 100 members of the legal profession and the Monash Law School community.

Castan Centre for Human Rights Law – annual lecture

The recent conflict in Iraq raised significant issues for international security and human rights. At the annual Castan Centre for Human Rights Lecture, The Shadow Minister for Foreign Affairs, Mr Kevin Rudd MP, presented his views on the topic. The lecture addressed current criticisms of the UN as well Mr Rudd's vision for the organisation's place in international affairs in the future.

Workplace Relations Lecture

Monash Law in conjunction with the Australian Labour Law Association hosted a seminar on the Workplace Relations Act 1996 and the need for change. Attorney-General and Minister for Industrial Relations, The Hon. Rob Hulls MLA, gave a guest presentation.

PDLP the practical alternative to articles

With such a large number of quality students completing the Bachelor of Laws (LLB) each year, new graduates are often faced with the challenge of competing for limited articles positions.

Providing students with the practical skills and broad knowledge required to undertake legal practice in Victoria, the Postgraduate Diploma in Legal Practice, Skills and Ethics (PDLP) at Monash University operates as an alternative route to admission to practice.

Recent PDLP graduate and Australian Securities and Investment Commission (ASIC) solicitor, Karlie Denier said the program provided her with the expertise, competence and ethical awareness needed to confidently practise law.

"The PDLP certainly played a key role in my professional development and proved extremely beneficial in exposing me to a wide range of practice areas, legal issues and interaction with real clients.

"The conceptual, advisory and analytical skills I developed whilst completing the PDLP are reflected in my day-to-day work as a lawyer at ASIC," said Ms Denier.

Ms Denier also said that she wouldn't have traded the PDLP in for a year of articles due to the diverse and valuable friends made and the experiences shared.

"My PDLP intake consisted of law graduates from around Australia, as well as academics, business professionals and international practitioners. These fellow PDLP graduates now form an invaluable network of professionals working in various spheres of the legal profession," she said.

With the rapid decline in articles positions currently being offered, the Monash PDLP is emerging as one of the most efficient entry pathways into legal practice.

"In New South Wales and the United Kingdom, practical legal training courses are already compulsory. An alternative course to articles is the way of the future and an option that should not and cannot be overlooked.

"Just like articles, the PDLP requires a solid commitment, dedication and a willingness to learn," Ms Denier concluded.

The 21-week practical legal training course approved by the Council of Legal Education offers students the option to defer payment for their training through the HECS scheme.



The PDLP proved a successful pathway into practice for Karlie Denier.

Monash University Law Review Dinner

The Hon. Justice Michael Kirby addressed the Annual Law Review Dinner in October of this year held at the Old Melbourne Gaol.

Book launches

2003 saw a number of Monash University books published and launched.

Early in the year, The Hon. Justice Stephen Charles from the Victorian Court of Appeal launched three titles on commercial law:

- **Insolvency Law and Practice** by Associate Professor John Duns

- **Paperless Trade; Opportunities, Challenges and Solutions** by Dr Emmanuel Laryea

- **WTO Litigation: Procedural Aspects of Formal Dispute Resolution** by Professor Jeff Waincymer.

More recently a special ceremony was hosted by The Hon. Sir Daryl Dawson at the Supreme Court Library, to launch '**Australian Constitutional Landmarks**', a book edited by Acting Dean of Law, HP Lee and Professor George Winterton.

Associate Professor Susan Kneebone's book titled '**The Refugees Convention 50 Years On: Globalisation and International Law**' was also published this year.

Staff farewell

A number of long-standing staff members said goodbye to the Law School after many years of committed and dedicated service to Monash. Dr Dorothy Kavacs retired from her position after 32 years with the Faculty and Bruce Dyer, who had been with Monash since 1991, also said goodbye to Monash Law.

Throughout the year, Francis Trindade was also given the honour of being named an Emeritus Professor.

Alumni contact

Are you a monash law graduate with an interesting story to tell?

We're always looking for information on our alumni and their achievements.

To update us, contact Jodi Rockman on + 61 3 9905 2630 or jodi.rockman@law.monash.edu.au

New Courses & Workshops:

Protect your Intellectual Property

An innovative series of six half-day seminars on the international aspects of patenting biotechnology inventions will be hosted by Monash Law and presented by internationally renowned expert, Professor Geertrui Van Overwalle.

To be held at the Monash Law Chambers in the city during December, the seminars will cover issues from biotechnology and the European patent system to patent protection of micro-organisms, plants, animals and human material, particularly genes, embryos clones and stem cells.

As a unit within the Master of Laws, the seminars will be invaluable for anyone working in the biotechnology arena, and will be held on December 5, 8, 12, 16, 17, 18.

To secure your position phone (03) 9641 6204 or email: graduate@law.monash.edu.au.

Business Success for Law Firms

Four half-day interactive workshops designed to improve the performance of legal firms in the areas of finance, human resources, marketing and strategic planning will take place during 2004.

The workshops are specifically for lawyers, paralegal and other relevant legal staff including marketers, human resource practitioners and finance specialists.

A leading expert in the area of legal practice management, Dr Charles Birch (PhD, LLM, LLB, BCom), will present the following workshops:

- **The Dynamics of Law Firm Profitability**
– 30 March 2004
- **Marketing your Firm's Capabilities** – 20 April 2004
- **Maximising your Staff's Productivity** – 25 May 2004
- **Implementing your Firm's Business Strategy**
– 22 June 2004.

Bookings are essential as limited places are available. For further information contact Diane O'Neill on (03) 9905 5136.

Postgraduate drop-in sessions

Drop-in to the Monash University Law Chambers at 472 Bourke Street, Melbourne during one of our information sessions for details on Monash Law's 2004 postgraduate programs for law and non-law graduates. Staff will be on hand to answer all of your questions. The sessions will be held on the following days:

Wednesday, 3 December 2003
4.30 – 6 pm

Wednesday, 10 December 2003
12.30 – 2 pm

Thursday, 22 January 2004
4.30 – 6 pm

For further information contact Cath Grutzner on (03) 9641 6204 or catherine.grutzner@law.monash.edu.au

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Update your contact details on the central University alumni database

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