



Law

LAW Matters

Issue 2/11

News from the Monash Law School community



Inside this issue:

New research centres

Feature:
Passion for the law

Distinguished Alumni Awards

Inside:

3 New research centres

Monash Law hosts two new research centres

5 New publications

New publications by Monash Law School staff

6 Feature: Charles Kovess

Why passion for the law makes a difference

10 Where are they now?

The class of 1975

14 Monash Law Chambers

The new purpose-built Law Chambers, 555 Lonsdale St

17 Prato conference

Protecting Business Innovation – A Legal Balancing Act

18 Postgraduate studies

Postgraduate law units available in 2012



Dean's message

Professor Arie Freiberg, AM
Dean, Monash Law School

Universities have long been accused of being 'ivory towers', remote and disconnected from the real world. If it were ever true, it was less so of law schools and probably completely incorrect now.

Law schools prepare their students for the practice of law, though many of their graduates do not pursue a career in the law. They are closely linked to the profession through the requirements of admitting authorities who ensure that the courses taught in universities provide all law graduates with the foundations of legal knowledge and skills.

The Monash Law School is closely linked to the profession in many other ways. Barristers, solicitors and judicial officers teach into our graduate and undergraduate courses, particularly into the Masters program and JD programs. They participate in our moot and mentoring programs and provide guest lectures across the curriculum and for the dynamic Law Students Society. Alumni feature as speakers in our graduation and prize ceremonies and at special lectures such as the annual Costello lecture. Law firms sponsor many of the prizes awarded to our top students at the annual prize ceremony and attend to meet the student winners.

The profession is involved in our various advisory boards and research centres, in the professional practice programs at the Monash Oakleigh and Springvale Monash Legal Centres and with the Law School Foundation. In turn, many of the Faculty's staff serve on numerous legal profession and government committees.

It is also involved in supporting our students through financial and institutional support and the Faculty is very pleased to acknowledge the support of Maddocks in this edition of our High Achievers Program. Through our alumni David Rennick and Mark Hayes Maddocks will provide some of our outstanding students with an insight into legal practice and closer links with members of their firm.

This year we welcomed three distinguished members of the profession into the Faculty as Adjunct Professors: retired Federal Court Judge Ray Finkelstein, retired Family Court Judge Nahum Mushin and solicitor Rowan Russell.

Nahum Mushin was the first Monash alumnus to be appointed to a judicial office and he has maintained contact with the Faculty over the years. Working with staff and students in various capacities, the Faculty will be able to draw on their extensive knowledge and experience to strengthen the links between theory and practice.

If the distance between the City and Clayton formed a geographical barrier to close participation between the Faculty and the profession, the relocation of the Monash University Law Chambers to 555 Lonsdale Street, in the midst of the major court buildings and next door to Owen Dixon Chambers should destroy any such obstacles. The Chambers are now the primary venue for public lectures, seminars, conferences and other public activities. Lord Chief Justice Igor Judge of the United Kingdom and the Commonwealth Solicitor-General, Mr Stephen Gaegler both spoke at the Chambers and the Chief Justice of Australia, Robert French spoke to 250 undergraduate students and staff at the Clayton campus.

The Chambers are home to nearly 800 graduate students enrolled in our various programs and a number of full time staff members and are also the home base for the newly established Centre for Court and Justice System Innovation which will work closely with the profession and governments.

Also re-joining us at 555 Lonsdale is the Australasian Institute of Judicial Administration with whom the Faculty has strong links and which is a partner in the new Centre.

We look forward to maintaining and improving our close links with our alumni and the profession in the coming years, both at Clayton and at the Chambers.

Professor Arie Freiberg, AM
Dean, Monash Law School

Diary dates:

2012

20 & 21 February, 2012
Conference
Implementing human rights in closed environments
www.law.monash.edu.au/castancentre/events/2012/closed-environments.html

22 February 2012
Commercial Court Seminar
Key Developments in the Commercial Court – An Update for Commercial Practitioners
law-marketing@monash.edu
RSVP Wednesday 15 February 2012

23 & 24 February 2012
Conference
Emerging challenges in Privacy Law: Australasian and EU Perspectives
www.law.monash.edu.au/about-us/events/conference/privacy-law/

Queen's Birthday Honours 2011

Member of the Order of Australia (AM)

Wing Commander Ian Henderson AM (BSc 1990, LLB 1992)

For service in military law.

Mr Dennis Nelthorpe AM (BJuris 1974, LLB 1977)

For service to social justice.

Medal of the Order of Australia (OAM)

Mr Ross Lake OAM (BEc 1976, DipEd 1977, LLB 1981)

For service to art administration.

Public Service medal (PSM)

Mr Neil Robertson PSM (BA(Hons) 1985, LLB1990, MPA 2008)

For outstanding public service and leadership through the provision of innovative legal policy in a diverse range of areas.

New appointments:

Mr Kevin Zervos SC (BSc 1975, LLB 1977)

Appointed Director of Public Prosecutions for the Department of Justice in Hong Kong

Mr John Searle (BEC 1980, LLB 1981)

Appointed Chairperson of the Victorian Equal Opportunity and Human Rights Commission (VEOHRC)

Mr Peter Stewart (BEC 1980, LLB 1980)

Appointed Victorian Government Solicitor

Mr Bernard Murphy (BJuris 1979, LLB 1979)

Appointed to the Federal Court of Australia

Ms Ann McGarvie (BA 1990, LLB 1992)

Appointed to the Victorian Magistrates Court

Dr Paula Gerber Awarded ALTC Citation

Dr Paula Gerber recently won an Australian Learning and Teaching Council (ALTC) Citation for Outstanding Contributions to Student Learning.

This Citation, worth \$10,000, was presented to Paula at the 2011 Australia Awards for University Teaching at the Sydney Opera House on Tuesday 16 August 2011. Recipients of ALTC Awards and Citations are recognised for their significant contributions to student learning in a specific area of responsibility over a sustained period.

Paula's application was about the "sustained development of imaginative, practice-based pedagogies that inspire enthusiastic and independent learners of law".

Paula has been recognised for her outstanding teaching at a number of levels including in 2009 when she won the Faculty of Law Excellence in Teaching Award, 2010 when she was awarded a Monash University Vice Chancellor's Excellence in Teaching Award – Special Commendation and also in 2010 when she was awarded an Australasian Law Teachers Association Excellence in Teaching Award – Highly Commended.

The Australian Learning and Teaching Council (ALTC) offer a number of different types of Awards which are designed to promote good teaching in Australian Higher Education.



Dr Paula Gerber, Professor Marnie Hughes-Warrington (the Pro Vice-Chancellor Learning and Teaching) and other Monash winners of 2011 ALTC Awards and Citations.

Law student thesis on the reading list

Current law student Brett Harding commenced a Bachelor of Laws degree at Monash University in 2008 and will graduate in 2012.

Brett recently wrote an honour thesis titled 'Under the Indefeasibility Umbrella: The Covenant to Pay and the 'All-moneys' Mortgage' which was published in the July 2011 edition of the Australian Property Law Journal. Brett's article is on the reading guide studied by his fellow students.

Brett's thesis topic relates to forged mortgages. It examines a contemporary subject in mortgage law – the registration of forged mortgages and its effects on indefeasibility. It discusses two central issues: the personal covenant to repay a loan advance and incorporation of loan documents under an all-moneys mortgage.

Brett said "I enjoy examining the academic aspects and practical implications of a niche area of the law, and this topic was a perfect match for that kind of discussion. I suspect I am one of the very few people in the world that find mortgage law fascinating."

He first became interested in mortgage law when it was discussed in a Property Law lecture early in his degree.



Brett said "I was very fortunate to have Associate Professor Pam O'Connor as my lecturer in Property Law, and it was her passion for this subject which inspired me to write an honours thesis in this area."

Along with studying and producing remarkable work Brett has also been the associate to two Supreme Court Judges.

High flyers

Leading law firm Maddocks is supporting a program designed to reward and motivate the best students in the Monash Law School.

Launched in 2008, the High Academic Achievers' Program encourages and supports Law School students whose results are consistently outstanding. The program provides targeted support and resources to help the students realise their full potential.

The program's partnership with Maddocks commenced in 2011. The firm believes that the program will not only provide students with some insight into Maddocks but will offer the students a greater understanding of the legal profession and the reality of being a lawyer. Students spend time in the firm's office, have contact with lawyers and partners, and attend on-site sessions.

Maddocks CEO David Rennick (BEC 1984, LLB 1986) believes that the High Academic Achievers' Program is a good fit with the firm's values.

"Maddocks core values are integrity, respect for the individual and diversity, collaboration, innovation, and stewardship. The High Academic Achievers' Program aligns closely to those values," said David Rennick.

"Our commitment to the high achievers' program goes hand in hand with our belief that each individual has something unique to offer, and our recognition that strength is derived from the collaborative efforts of individuals.

"Our partnership with Monash acknowledges not only our commitment to the long-term success of the firm but also our awareness that the ongoing success of the firm lies with those lawyers coming through the ranks, and those who will join us in the future."

David Rennick explains that the firm has recently augmented their focus on Corporate Social Responsibility and their support of the program fits with their CSR philosophy.



David Rennick, CEO, Maddocks



Mark Hayes, Partner, Maddocks

"Corporate Social Responsibility means taking responsibility for the impact of our activities and decisions. As a firm, we are committed to helping sustain and improve the communities in which we operate and the environment in which we live. In turn this will help ensure the future of our business," said Mr Rennick.

"Corporate Social Responsibility is central to the way Maddocks operates – not an 'add-on'."

The Monash alumni at Maddocks gain a strong sense of fulfilment from their involvement in the High Academic Achievers' Program. They have the opportunity to spend time with the students, and mentor them through their final university years. They play a vital role in helping the high achievers' transition from student to lawyer.

Maddocks partner Mark Hayes (BJuris 1980, LLB (Hons) 1982) considers it important to give back.

"I would encourage all alumni to give something back to the University, and the Law School more particularly. The Law School can only achieve its aim of making a difference if it has the resources and connections necessary to provide the very best kind of modern legal education," said Mark Hayes.

Memories of the Faculty of Law



The famous lecture delivered in May 1976 by Campbell McComas impersonating Professor Glanville Williams, 'alternative professor of English law' at Cambridge University, was a highlight in the lives of the hundreds of students who actually attended the lecture and were taken in by the clever hoax.

But this is only one of the many Faculty events or occasions fondly remembered by the thousands of students who have passed through the Faculty of Law. You might have memories of events that stand out for you – and we'd love to hear about them.

The Faculty of Law has commissioned Dr Peter Yule and Dr Fay Woodhouse to write a history of the Faculty and they are waiting to talk to you and hear the stories you have to tell.

Contact:

peter.yule@monash.edu or
fay.woodhouse@monash.edu
(03) 9905 3351

Faculty of Law
Monash University
Clayton, Vic, 3800

Currently the Faculty of Law hosts research centres in the areas of human rights law, regulatory studies and commercial law. This year two new centres have opened The Australian Centre for Court and Justice System Innovation (ACCJSI) and The Centre for the Advancement of Law and Mental Health (CALMH). Below is a brief introduction to the two new centres and if you would like further information about all our centres visit <http://www.law.monash.edu.au/centres/>

The Australian Centre for Court and Justice System Innovation (ACCJSI)

The Faculty of Law at Monash University and the Australasian Institute for Judicial Administration have created The Australian Centre for Court and Justice System Innovation Centre (ACCJSI), the centre is based at Monash University Law Chambers, 555 Lonsdale Street.

ACCJSI is administratively supported by Monash University and its Centre Director and the Foundation Chair is Professor Tania Sourdin of Monash University. ACCJSI has a strong focus on non-adversarial justice research.

ACCJSI engages in three core streams of activity:

- **Research** to provide the intellectual underpinnings for increased court efficiency and effectiveness, support improved governance, the continued development and implementation of court innovations and the adoption of non-adversarial justice approaches.
- **Research consultancy** in the areas of program design, piloting, monitoring and evaluation of court innovations and non-adversarial justice approaches.

- **Education and training** involving the delivery to law students, legal practitioners, court and justice system administrators, judicial staff and to allied professionals to achieve innovations in the court system and in non-adversarial justice concepts and practice.

ACCJSI is managed by a Management Committee comprised of:

- The Dean of the Faculty of Law, Monash University
- The Executive Director AIJA
- The Centre Director

ACCJSI supports an overarching Australian approach in respect of research and evaluation into the important fields of court administration, operation, innovation and non-adversarial justice.



Professor Tania Sourdin, Centre Director ACCJSI, Monash University.

In addition, the national nature of the Centre with its links into policy, judicial and broader frameworks as well as links to international centres ensures that the research and evaluation framework is informed and useful.

Launch of the Centre for the Advancement of Law and Mental Health (CALMH)

Mental health policy is of increasing importance to governments around the world.

The developing profile of mental health issues in the Australian community is indicated by the appointment of a federal Minister for Mental Health, the Hon. Mark Butler MP, in September 2010 as well as the appointments of equivalent state ministers in Victoria, Western Australia and New South Wales. In 2006, the Council of Australian Governments estimated the annual cost of mental illness in Australia as approximately \$20 billion, including the costs of loss of productivity and participation in the workforce.

The law regulates and shapes the way in which mental health care is delivered and the way in which individuals with mental and/or intellectual impairments are treated by both civil and criminal justice systems. The recent coming into force of the Convention on the Rights of Persons with Disabilities and the proposed reform of mental health legislation in Western Australia, Tasmania and Victoria have provided added impetus for a rethinking of mental health laws and regulatory frameworks.

The Centre for the Advancement of Law and Mental Health (CALMH), is the first Centre in Australasia devoted to research into the intersections between law, policy and mental health issues. While CALMH is based in the Faculty of Law at Monash's Clayton Campus, it draws upon existing links with the Faculty of Medicine (particularly the Centre for Forensic Behavioural Science and the Centre for Developmental Disability) as well as the expertise of consumers, carers and mental health professionals in conducting research into the advancement of laws and policy relating to mental health issues.

The main aims of CALMH are:

1. To conduct scholarly research into the role of law in:

- improving access to high quality mental health care;
- promoting and maintaining good mental health; and
- preventing discrimination against individuals with mental and/or intellectual impairments.



L to R: Prof Bernadette McSherry, Prof Michael Perlin, Dr Penelope Weller, Prof Ian Freckelton.

2. To provide evaluation and guidance to key stakeholders on the reform and implementation of laws relating to:

- mental health, guardianship and decision-making incapacity;
- the treatment of individuals with mental and/or intellectual impairments in the criminal justice system; and
- the rights of individuals with mental and/or intellectual impairments.

CALMH currently has eight doctoral students and four research assistants working on different aspects of mental health laws. Under the Directorship of Professor Bernadette McSherry and Deputy Directors, Dr Penny Weller and Professor Ian Freckelton SC, CALMH is developing an ambitious research program which seeks to examine the role of the law in integrating service delivery to individuals with multiple and complex needs.

Lucinda Lecture

The 18th Annual Lucinda lecture was held on Tuesday 20th September 2011 at Monash University Clayton Campus. The Honourable Robert French AC, Chief Justice of The High Court of Australia presented 'Interpreting the constitution – words, history and change'.

The lecture was a sell out with guests including The Honourable Michael Black, The Honourable Justice Paul Cronin, The Honourable Ray Finkelstein, The Honourable Nahum Mushin and Mr Brian Walters SC.

The Lucinda Lecture series is named after the steam paddle vessel SS Lucinda on which important revisions to the earliest drafts of the constitution were made. Each year the Lucinda Lecture aims to canvass fundamental issues in Australian Constitutional law.



Back L to R: Mr Brian Walters SC, The Hon. Ray Finkelstein, The Hon. Nahum Mushin, The Hon. Justice Paul Cronin, Prof Arie Freiberg AM, Prof H. P. Lee, Prof Bryan Horrigan, Mr Ian Pyman.

Front L to R: Prof Marilyn Pittard, The Hon. Michael Black, The Hon. Robert French AC, Chief Justice of The High Court of Australia, Ms Joh Kirby.

Rule of Law

The Faculty of Law and the Australasian Institute of Judicial Administration recently held a lecture presented by The Rt Hon. the Lord Igor Judge, Lord Chief Justice of England and Wales, titled the 'Rule of Law'.

The Rt Hon. the Lord Igor Judge discussed several important historical stories which showed the importance of the rule of law. Judge's lecture inspired guests to think hard about the outcomes from leaders such as Hitler and Nelson Mandela.

Judge said "that the rule of law protects us all, society, the community as a whole, and each individual in society from anarchy, from the law of the jungle, from the triumph of the wildest and the worst, and the rule of tyranny."

Judge also said "the rule of law has served us well. It has not made, and it could not make, a perfect society. But without it our societies would be catastrophically worse."

Dean of the Faculty of Law, Professor Arie Freiberg AM said "Those who attended the lecture gained considerably from Lord Judge's experience in the judiciary. The rule of law is fundamental to our decision making both in our careers and our lives," said Professor Freiberg.

The Rt Hon. the Lord Igor Judge has over 40 years of experience with the legal system having been called to the Bar in 1963. He has held many positions within the English judiciary including becoming a Queen's Counsel in 1979, High Court judge in 1988, Court of Appeal Judge in 1996, President of the Queen's Bench Division of the High Court and Head of Criminal Justice in 2005 and Lord Chief Justice of England and Wales in October 2008.



L to R: Prof Greg Reinhardt, Chief Justice Marilyn Warren AC, the Rt Hon. Lord Judge, Prof Arie Freiberg AM.

Eighth Fiat Justitia Lecture

The Faculty of Law was honoured to welcome the Solicitor-General of Australia, Mr Stephen Gageler SC to present this year's Fiat Justitia Lecture on Wednesday 24th August. The topic of the lecture was 'Common law statutes and judicial legislation'.

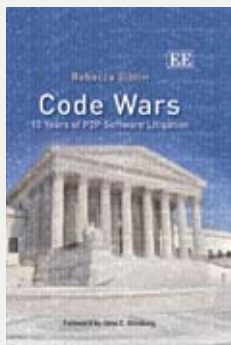
The patron, The Honourable Michael Black AC welcomed over 100 guests to the lecture. The Eighth Fiat Justitia Lecture was the first opportunity that members of the legal fraternity, including many Monash Law alumni had to visit our new Monash University Law Chambers in Lonsdale Street.



L to R: Prof Arie Freiberg AM, Mr Stephen Gageler SC, The Hon. Michael Black AC, Prof Marilyn Pittard, Prof Bryan Horrigan, Prof HP Lee.

New Publications by Monash Law School Staff

www.law.monash.edu/research/book-releases.html



Code Wars
Rebecca Giblin

Publishers Edward Elgar, 2011

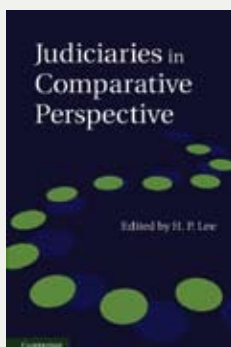
Code Wars recounts the legal and technological history of the first decade of the P2P file sharing era, focusing on the innovative and anarchic ways in which P2P technologies evolved in response to decisions reached by courts with regard to their predecessors.

With reference to US, UK, Canadian and Australian secondary liability regimes, this insightful book develops a compelling new theory to explain why a decade of ostensibly successful litigation failed to reduce the number, variety or availability of P2P file sharing applications – and highlights ways the law might need to change if it is to have any meaningful effect in future.

A genuine interdisciplinary study, spanning both the law and information technology fields, this book will appeal to intellectual property and technology academics and researchers internationally. Historians and sociologists studying this fascinating period, as well as undergraduate and graduate students who are working on research projects in related fields, will also find this book a stimulating read.



Dr Rebecca Giblin



Judiciaries in Comparative Perspective

H. P. Lee

Contributions by Dr Colin Campbell and Dr Patrick Emerton

Cambridge University Press, 2011

An independent and impartial judiciary is fundamental to the existence and operation of a liberal democracy. Focussing on Australia, Canada, New Zealand, South Africa, the United Kingdom and the United States, this comparative study explores four major issues affecting the judicial institution. These issues relate to the appointment and discipline of judges; judges and freedom of speech; the performance of non-judicial functions by judges; and judicial bias and recusal, and each is set within the context of the importance of maintaining public confidence in the judiciary. The essays highlight important episodes or controversies affecting members of the judiciary to illustrate relevant principles.



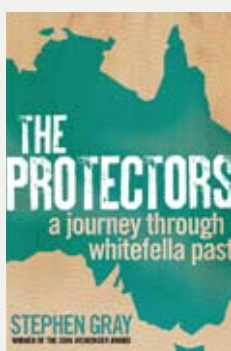
Professor H. P. Lee



Dr Colin Campbell



Dr Patrick Emerton



The Protectors – A journey through whitefella past

Stephen Gray

Allen & Unwin, 2011

On 13 February 2008 Kevin Rudd and Brendan Nelson gave two very different apology speeches to the Stolen Generations. Rudd alluded to racism, eugenics and the immorality of past policies. Nelson spoke of benign intentions, goodness and the hurt felt by those accused of wrongdoings. Both cannot be true – or could they? Powerful and provocative, this is a beautifully written and very personal exploration of a little acknowledged part of Australian history – the role and motivations of the administrators and patrol officers who carried out these ‘protection’ policies. The questions Stephen Gray raises about guilt, judgement and good intentions apply as readily to the complexities of black/white relations today as they did one hundred years ago. This is an intelligent book that challenges how we judge the past and asks what exactly it was that the Australian nation said sorry for. It is a fresh contribution to white Australia’s perennial search for national identity – an identity we need to now assert against the darker facts of our history on the continent.



Dr Stephen Gray



Foundations of taxation law

Stephen Barkoczy

CCH, 2011

This book is the product of many years of research, practice and lecturing in the field of taxation law by Professor Stephen Barkoczy. Further revised and expanded, this edition has seven new chapters, including one on legal research, uniquely structured to accommodate both basic tax study and the more advanced topic areas. It includes a CD with PowerPoint slides covering all topic areas.



Professor Stephen Barkoczy

Why passion for the law makes all the difference: Five big ideas!

By Charles B Kovess
LLB (Hons) *Melb.*, LLM *Monash*, MAICD



Imagine waking up every morning, full of energy, and looking forward to your upcoming adventures in the legal profession, regardless of the type of adventures, 'good' or 'bad'!

It is a great way to live and I promise you that the way to live it is to discover, nurture, and pursue your passion. I have spent the past 18 years provoking audiences and individuals to understand the profoundly positive impact that such a strategy has upon one's life, and the evidence from those who have taken these steps proves it to be true.

I loved being a lawyer, and the only reason why I changed career to become a professional speaker and educator, and also take a huge drop in my income, was because I considered that the value I could add to Australia was greater in this new profession, of provoking Australians to discover and pursue their passions.

When you are passionate about the law, as I was from an early age, there are five remarkable benefits that you will experience:

Charles B Kovess
LLB (Hons) *Melb.*, LLM *Monash*, MAICD

I can see a clear link between passionate lawyers who love what they do helping to ensure a great future for Australia. I encourage you to play your part and never allow others to kill your passion!

- You will have an almost inexhaustible supply of **energy**. My definition of 'passion' is that 'it is a source of unlimited energy from your soul (or 'spirit' or 'heart') that enables a person to achieve extra-ordinary results'. The energy is not a mental thing or process: it is soulful, or spiritual. Your energy determines your productivity, and your productivity determines the value that you add.
- The value that you add as a lawyer, regardless of the specific role you play, determines the rewards that life gives you. If you want lots of **rewards**, then you must add lots of value. The rewards come in three formats, equivalent to the three main elements of our humanness: *mental rewards* (such as recognition, fame, status, reputation), *physical rewards* (money, all the 'stuff' that money can be converted into, and good health) and *spiritual rewards* (the satisfaction of making other people's lives better, community contribution, fighting for a cause about which you are passionate).
- **Difficult becomes easy**. In other words, because you are passionate, your energy enables you to face your difficulties in a determined and powerful way. You do not run away from your difficulties. You understand more deeply the principle of life that the real reward for solving your problems is not satisfaction, or a sense of achievement, or happiness, but in fact is *bigger problems!* This is called learning and growing, and the practice of the law is an excellent example of this principle. As you get better, through solving problems, you get more difficult cases (as a barrister or solicitor), or get promoted to the judiciary, or get promoted to a professorship!
- You will have **courage** to do the right thing, and I consider that this is one of the key differentiators between a true professional and a businessman. It takes courage to speak up. It takes courage to tell the truth. It takes courage to give the 'right' advice that might result in reduced income to you. It takes courage to deal with the human issues that arise between partners and associates in law firms, and between academics in legal education. The link between passion and your courage is a profoundly important one: the etymology of the word 'courage' is the French word '*coeur*' from the Latin '*cor*' meaning heart. When you are courageous, you are acting from the heart, or soul, or spirit. Passion is a key source of such courage.

- You will have more **fun**, regardless of the particular legal issues that you are handling. Fun is also a deeply spiritual human experience, and is an amazing physical energizer. When you are pursuing your passion, it is much easier to enjoy whatever you are experiencing at any time, and to observe the fun moments when they arise, rather than being so caught up in the 'mental' aspects of the law that you are in a state of relentless stress and struggle. Many of my friends who are still practicing lament the loss of 'fun'. When I was an employee solicitor with Mallesons in the 1970's, working closely with Matthew Walsh, it was remarkable how often the partners of the firm at that time shared fun times with each other, particularly in the partners' bar at the end of the day.

I believe that the price we pay as humans when we do not pursue our passion is far too great. We are more likely to be stressed, worried, unhappy, tired and fearful. The practitioners of the law play a crucial role in ensuring that Australia is one of the best countries in the world. There is clear evidence of the link between excellent GDP per capita and a sound legal system.

Charles B Kovess – Biography

After 20 years of high level legal and business experience, lawyer Charles Kovess knew that most people have a powerful and under-used ingredient they can use to drive successful changes in their lives. He turned his back on the law in 1993 to share those success strategies as a professional speaker, educator, facilitator and coach. Charles is known as *Australasia's Passion Provocateur*, and travels the world promoting the power of passion.

He is a Certified Speaking Professional, Past National President of the National Speakers' Association of Australia, President of the Australia-Hungary Chamber of Commerce & Industry, and Trustee of the Global Energy Network Institute. Charles has authored two inspirational books, '*Passionate People Produce*', and '*Passionate Performance*', and is the co-author of '*The 7 Heavenly Virtues of Leadership*'.

Charles is not only passionate about the power of passion: he is also passionate about sustainable behaviours and sport! He is currently competing in his 27th consecutive season in triathlons; he qualified as an international water polo referee, played A Grade Amateur Football, and has completed nine marathons. He is the father of one daughter and three sons, and married Amy, his second wife, in 2005. Amy and Charles have one daughter, Isabella, who was born in November 2010.

Q&A

Andrea Tsalamandris

(nee Wallace)

Accredited Specialist in Personal Injury Law and a Partner at Adviceline Injury Lawyers, a division of Holding Redlich.



Andrea Tsalamandris (nee Wallace)
BA 1990, LLB(Hons) 1994

Q. When did you study at Monash Law School?

A. From 1990 to 1993

Q. What course were you enrolled in and why did you choose that course?

A. I transferred from Melbourne University where I started my Arts degree in 1988. I always wanted to study law and transferred to Monash when I was accepted into the law school in 1990. I then finished my Arts degree, with a major in Politics. I later obtained my law degree at Monash, completing an Honours thesis in 1993.

Q. How did you find your studies?

A. I really enjoyed studying law (except for my worst subjects of Property and Equity and Trusts!). I wanted to be a lawyer ever since high school, so I really relished every moment I was in the law school. As it had taken me a few years to transfer over, I felt privileged to be there. Part of that appreciation is why I am now involved in the Monash Law School Foundation's fundraising committee. I am keen to give something back to the law school that gave so much to me.

Q. Can you tell us about your career history?

A. As part of my Honours Thesis on medical negligence, I arranged to interview a range of people in the field, including Michael Schaefer, a partner at Holding Redlich. I left my meeting with him convinced I wanted to be a Plaintiff medical negligence lawyer. I was very fortunate to then get a summer clerkship at Holding Redlich and subsequently went on to do Articles there. I then liked the place so much I never left! I was made a partner in 2002.

Q. What do you do for a living – describe a typical day for you at work?

A. As a personal injury lawyer, I spend my days meeting injured people and explaining to them their legal rights. I meet with barristers and attend court. Every day is different – which is part of the reason it is so enjoyable. I get to know my clients really well, as in many cases I act for them over several years. I think that is why I prefer being a solicitor than a barrister. I value the strength of my relationships with my clients and it makes getting them a great result at the end of the case very rewarding. After 18 years of practise, I very genuinely still love it.

Q. Why did you decide to pursue a career in this field?

A. I was always interested in social justice and as a law student was motivated to help address some of the injustices in our society. I liked the idea of using my law degree to help everyday people access justice, irrespective of their ability to pay legal fees. As my personal injury practise is based on no-win, no-fee cost arrangements, I can assist anyone who has a deserving claim.

Q. What do you most enjoy about your job?

A. Helping people understand their rights in the legal system and making sure they get the compensation they deserve for their injury.

I also play an active role in Holding Redlich's *pro bono* committee. I am currently working on the legal claim at VCAT in which we are assisting a group of parents who are challenging the Department of Education's policy about Special Religious Instruction. We are objecting to the segregation and discrimination of the children whose parents chose not to have their children learn religion at local state schools.

I am also the firm's National Diversity Partner and Parenting Partner. These extra responsibilities, away from my personal injury files, make me very proud to be a partner of my firm and to support and promote working women in the profession.

Q. What has been your career highlight so far?

A. Working on the Stolen Generations *pro bono* litigation from 1996 to 2002 was a truly amazing experience. My involvement as one of the instructing solicitors for the Plaintiffs took me to many places in the Northern Territory and had me instructing at the trial in both Alice Springs and Darwin for many months. I remember taking witness statement from over 50 members of the Stolen Generations and hearing many heart breaking stories, as well as extraordinary stories of courage and resilience. I recall one day taking instructions from an Elder under the shade of a tree in the searing heat at Utopia. I got to go with Lorna Cubillo to visit the site where she was forcibly removed from her family. I ate bush tucker along the side of a road. As the appeal was handed down I sat crying at the bar table, gutted in my clients' loss. And then when the case finally finished in the High Court, I was there with my week old son. I could not stay away, as it had been such a long journey, over six years. Despite the strict legal loss in the case, I still think that socially and politically, it was a very important case to have run. For me it was incredibly fulfilling and a privilege to have been involved.

Q. How did your Monash Law School experience help you succeed in your chosen field?

A. I think at Monash we were taught to think outside the box. I had some brilliant and inspiring lecturers such as Louis Waller, Laurie McCredie, Sue McNicol, Peter Hanks and Susan Kneebone. As there were no nearby distractions, we tended to spend more time in the library than we otherwise might have! And the biggest impact Monash had on my career, was that my Honours Thesis on medical negligence paved the way for me to join Holding Redlich.

Q. Are you still involved with Monash Law School? If yes how and why?

A. I am a member of the Monash Law Foundation's fundraising committee. We aim to raise money for students who are underprivileged to provide them with financial support in their law studies. We also raise money for the Monash community legal services at Oakleigh and Springvale. These not only give the students important and practical legal experience, but also enable people in those areas to obtain legal advice that they could not otherwise afford.

I am also a strong supporter of the Castan Centre for Human Rights Law and am the Partner at Holding Redlich responsible for our ongoing relationship.

Q. What are your favourite memories of your time at Monash?

A. Meeting my dear friends Kate Calill Roberts and Adrian Walker; hanging out in the computer lab (nerdy I know, but back then I did not have a computer at home); having Susan Kneebone as a lecturer and eating curry pasties in the cafeteria (where the lady called everyone "Love" or "Darl").

Q. What did you wish you had known while you were a student?

A. That great marks don't necessarily make for a great lawyer.

Q. What personal interests do you have?

A. I love travelling with my husband and two sons, Kurt and Samuel. As much as I enjoy my work, I always make sure I use every possible day of annual leave. Tasmania, New York and Vegas are my most frequently travelled destinations.

Q. What is the best piece of advice you have received?

A. Only ever have one file open on your desk at a time and always make sure you leave with a clean desk at the end of each day. Simple but good rules to follow!

Two judges and a solicitor join the Faculty of Law

A former judge of the Federal Court of Australia and a former judge of the Family Court of Australia plus a solicitor specialising in debt capital markets have been appointed as Adjunct Professors to the Faculty of Law.

The Honourable Raymond Finkelstein QC, the Honourable Nahum Mushin and Mr Rowan Russell will take up their three-year appointments in 2011/2012.

Dean of the Faculty of Law, Professor Arie Freiberg AM said all three will bring considerable knowledge of their chosen fields to the Faculty.

“Our students and the faculty as a whole will benefit greatly with the addition of these three eminent legal minds,” Professor Freiberg said.

“The Honourable Finkelstein’s judgments have been highly influential in commercial law, giving rise to new approaches in insolvency, competition law and class actions,” Professor Freiberg said.

“He has been described as independent, full of ideas, and unpredictable, often drawing on practices from other jurisdictions to inform the court’s ruling, both procedural and substantive.

The Honourable Mushin will apply his experience in the areas of dispute resolution and family law to research, occasional teaching and support the Faculty’s newly formed Australian Centre for Court and Justice Innovation.

The Honourable Finkelstein, an alumnus of Monash, was admitted to practice in 1971, working as a solicitor and a teaching fellow at Monash law school in 1974–75. He was called to the Bar in 1975, specialising in equity, commercial and corporate law and was appointed Queen’s Counsel in 1986. Mr Finkelstein was acting Solicitor-General for the State of Victoria during 1992 and appointed a judge of the Federal Court in 1997, retiring at the end of June this year.



The Hon. Raymond Finkelstein QC



The Hon. Nahum Mushin



Mr Rowan Russell

The Honourable Mushin, also an alumnus of Monash worked as a solicitor in Melbourne from his admission to practice in 1972 until he went to the bar in 1980. As a barrister, he practised in commercial, industrial and common law and developed a growing interest in family law.

In 1990, he was appointed to the Bench of the Family Court of Australia, and in doing so was the first Monash Law graduate to become a judge of any jurisdiction. He has served on a number of committees, including Chair of the Family Court’s National Cultural Diversity Committee and Presidential Member of the Administrative Appeals Tribunal.

Mr Russell a debt capital markets specialist and Monash alumnus, is a partner of Mallesons Stephen Jacques. He was a Board member of the Monash Law School Foundation between 1999 and 2001 and served on the Banking Law and Consumer Credit Committee of the Business Section of the Law Council of Australia for 10 years, including four years as Chairman.

Mr Russell will be working closely with key Faculty commercial law teachers as well assisting with the development of new units for the postgraduate curriculum.

Professor Freiberg said “Mr Russell’s appointment will strengthen our offerings in banking, finance and debt capital markets.”

Monash University Distinguished Alumni Awards

Monash University celebrated the leadership and achievements of its alumni and student communities at the 2011 Distinguished Alumni Awards at which two law graduates and a current law student received awards.

The awards were held on 8 September at the Regent Theatre’s Plaza Ballroom in front of about 400 alumni, staff, supporters, students and friends.

Australian diplomat Mr Kevin Magee (BA(Hons) 1983, LLB 1985) was presented The Distinguished Alumni Professional Achievement Award.

Technology entrepreneur, business executive and sought-after speaker Ms Tan Le (BCom(Hons), LLB(Hons) 2000) received the 2011 Distinguished Young Alumni Award and current Bachelor of Arts and Bachelor of Laws student and youth ambassador with World Vision Mr Chris Varney was awarded the Alumni Student Award.

Alumni Relations director Louise McCarthy said the event was an outstanding success.

“It was a fabulous night and a great way to honour the achievements of our alumni community,” Ms McCarthy said.

This year’s Master of Ceremonies was Melbourne Lord Mayor, the Right Honourable Robert Doyle (BA 1976, BEd 1984).



Ms Tan Le and Vice Chancellor Professor Ed Byrne AO.

Where are they now – Class of 1975

If you would like to share your career, have an interesting story to tell or know of Monash Law Alumni who have a story, contact Alumni Relations Coordinator kate.daley@monash.edu

Peter Rose SC

(BJuris 1973, LLB 1975, GradDipLegalSt 1990)

I attended Monash Law School between 1970 and 1974. I graduated with a BJuris in 1973 and an LLB in 1975. I also obtained a Graduate Diploma in Legal Studies in 1990. Following articles and a year practising as a solicitor I signed the Bar Roll in 1977 and practised in crime, common law and administrative law with particular emphasis on aviation law for some 30 years. I took silk in 2001. In 2007 I took an appointment as a Senior Crown Prosecutor for the State of Victoria. My current role involves prosecuting in major criminal trials in Victoria.



Andrea Cone-Farran

(BJuris 1973, LLB (Hons) 1975)

"Ah but a man's reach should exceed his grasp, or what's a Heaven for?"

This quotation from Robert Browning suggests: 'we

need not settle for what's easily attainable in life. Rather, it is the attempt that will allow the most to be gained'.

Monash University law school provided me with a secure base from which to grow my personal identity, develop my professional capabilities, and apply relational skills learnt and negotiated in the classroom and the wider university, and not least with the Law Students Society. After completing articles at Corr Pavey in Melbourne and being admitted, I practised law with that firm for a further three years. In 1979 I founded the Centre for Professional Development (CPD), an international professional publishing company. CPD pioneered the provision of professional development and subscription services to lawyers and accountants in the 1980's. Ten years later the Thomson Corporation PLC (owners of Reuters and Law Book Company) acquired CPD.

My immediate family moved to London, UK in the early 1990's where I drew on my legal skills and entrepreneurial aptitude to develop several start up ventures. Needing to broaden my knowledge and cultural understandings led me to study existential philosophy and the meaning of existence at the University of Sheffield; and then obtain an MA from the University of Essex. Following a further 6 years clinical training I became an accredited Jungian psychoanalyst and analytical psychologist. In conjunction with that I worked in the British National Health Service for 8 years. I have now resettled in Melbourne and have integrated these specialisations, you can view my website at www.andreaconefarran.com

I would be interested in hearing from others whose career paths may have crossed multiple disciplines email: andreacone@bigpond.com

Other Monash Law Graduates



Bruce Cameron

(BJuris 1980, LLB 1982)

After graduating I commenced my articles with what was then a medium size legal practice in Collins Street Melbourne. I left that practice in 1986 with

three others to found a boutique commercial law practice. Now some 26 years later I am still a partner in that firm, Norton Gledhill, although it has had different incarnations during that period. I have practised since graduating in the area of commercial law and have been involved in public company takeovers, mergers, acquisitions, public company floats and commercial disputes. I also have become involved in matters outside the law, including the Kimberley Foundation of Australia, an organisation which promotes scientific research into the rock art of the Kimberley region and, in conjunction with the indigenous people of the region, seeks to preserve it and have it recognised for its national and international significance.



Don Mazzone

(BJuris 1973, LLB 1974)

Since graduating and being admitted to practice, I've worked for and been a sole practitioner for a short time, been a partner at a number of national law firms and an international partner

with Andersen Legal before its demise with the global collapse of Arthur Andersen. I am currently a partner at Clayton Utz, in charge of the Melbourne office real estate group. I have practised almost exclusively throughout my career in the area of commercial real estate development acting for both the public and private sectors. It is an area which I've enjoyed immensely because of the huge variety of transactional challenges.

I've spent time living overseas and travelling extensively with my family.

I have very fond memories of my time at Monash. It was then a very young and relaxed campus in the middle of what seemed like an undeveloped, almost semi rural suburb with an abundance of open space. The early 70's was a time when student activism was ignited by causes like the anti apartheid movement and the anti Vietnam war protests. There were regular rock concerts somewhere on campus and plenty of excursions to the Nott and the Wheelers Hill pub. The abundant spare time which we seemed to enjoy as law students is a relic of the past. There were no seasonal clerkships and I recall having an idyllic summer vacation job working as a 'beach cleaner'! How times have changed.

Loh Chang Woo

(BCom 1995, LLB 1997)

I completed my chambering with an established commercial law firm and started my legal practice at the height of the Asian financial crisis in 1998. The crisis saw the overnight rate jump from under 8% to over 40%, the stock index lost more than 50% and the local currency lost 50% of its value, falling from above 2.50 to under 4.10 to the dollar. The crisis exposed me to the invaluable experience of dealing with massive debt restructuring exercises and sale of bad debts to a special government agency to facilitate orderly asset realization. Then, I majored in corporate and commercial transactions before I set up my own legal firm in partnership.

It was the dire lack of lawyers with multi language skills that gave me an opportunity to first step into the niche market of China legal consultancy service in early 2000. I had advised on a disposal of a world trade centre on my first venture.

In 2009, I completed an intensive Chinese legal course under the auspices of Nanning Declaration in conjunction with the coming into effect of China-ASEAN Free Trade Area on 1.1.2010, which has a population of 1.9 billion and combined GDP of more than US\$6 trillion. In 2010, I was appointed as a visiting research fellow of the China-ASEAN Legal Centre and elected into the central council of the Malaysia China Chamber of Commerce.

In October 2011, my firm, CW Loh & Associates, declared our entry into China as the first Malaysian law firm to open a representative office.

Stephen Peak

(BEc 1976, LLB 1980)

I attended Monash University Law Faculty from 1973 to 1979 and graduated in Law and Economics. I was admitted to practice law in the Supreme Court in 1982. I commenced articles in 1981. I worked for two legal firms between 1981 and 1986, and commenced my own practice (Stephen J. Peak & Co.) in January 1987, and still do so as of today.

Throughout my legal career I have branched out into other areas of work and have also worked as a radio broadcaster on 3RRR, 3CR, Sport 927 National, 3AW, 3WRB and, for the last seven years, as the sports lawyer on the 24-hour, seven days a week sports station, SEN 1116.

I have also been involved in sports management, sports marketing and sports memorabilia.



Murray McInnis
(BJuris, LLB 1975)

Murray McInnis currently practices at the Victorian Bar as a barrister and accredited mediator. His main areas of practice are Administrative Law, Commercial Law including Insurance and Sports Law.

After graduating at Monash University in 1976 he practiced as a solicitor for almost 4 years before signing the Victorian Bar Roll in March 1980. He then practiced as a barrister for approximately 20 years before accepting an appointment as a Federal Magistrate of the Federal Magistrates Court in June 2000. As a Federal Magistrate he delivered almost 800 judgments in a wide range of areas including bankruptcy, migration and trade practices law. Approximately 70 of those judgments were reported. Though based in Melbourne as a Federal Magistrate he was also the coordinator for the Federal Magistrates Court for 6 years in Perth. He resigned his Commission as a Federal Magistrate in January 2008 and returned to practice at the Victorian Bar as a barrister.

He is currently Vice-Chairman of the United Nations White Ribbon Foundation Board, an Ambassador for the United Nations White Ribbon Campaign, and a member of the National Leadership Group of the White Ribbon Campaign. He is an executive member of the United Nations Association of Australia (Vic), Chairman of the Judging Panel of the United Nations Media Peace Awards, a Judge for the Monash University Law Students Society Moots and Communications Competition and Mentor for the Post Graduate Monash University Mediation Course. At the Victorian Bar he has had 7 readers and is currently a member of the Victorian Bar Duty Barristers Scheme and a voluntary member of the Football Federation of Victoria Appeals Board. Murray has also presented approximately 30 papers to national and international conferences over the past 10 years covering topics including counter-terrorism, administrative law, expert evidence and mediation.



Patrick Tehan QC
(BJuris, LLB 1975, Dip. Crim. 1980)

Patrick Tehan QC was admitted to practice as a barrister and solicitor of the Supreme Court of Victoria in 1976. He was admitted to the Victorian

Bar in 1977. From 1979–81 he was Dean of International House, Melbourne University. In 1997 he was appointed one of Her Majesty's Counsel. He specialises in criminal appeals. He is the editor of *The Victorian Sentencing Manual*.

Of his time at Monash he says, "They were heady days. It was a time of great student unrest with the university council chambers being occupied often." He continues, "I was talked out of politics and told to concentrate on the law; I'm glad I did".

Patrick is married to Kathleen BA (Hons); MEd (2006, Monash). They married in the Monash Religious Centre in 1976. They have two sons; Andrew, LLB (Hons) is a solicitor with the Aboriginal Legal Service in Western Australia and Nicholas is completing BA, LLB (Hons) at Monash.



Peter Kronborg
MBA, FAICD, FIPPA, FICS (BJuris, LLB 1975)

The combined management and law degrees of Monash provided me with a foundation for a fascinating career.

Since then I have worked as a lawyer in Allens Arthur Robinson, as a senior executive with Coles Myer, Managing Partner of an international consulting group, Korn Ferry, and then Chairman of an entrepreneurial, high-level Strategic Leadership Advisory firm that worked with the Boards of BHP, Medibank, COAG etc. This became a BRW Fast 100 company for its high level of growth.

Since 2010 I have been focusing on a portfolio of Directorships and private advisory work to leading companies and individuals in matters of governance, strategic, organisational and personal development.

I have always been quite heavily involved in community contributions, presently being on the state and national Boards of the Royal Flying Doctor Service, as well as the AICD Council and Deputy Chair of Creativity Australia. Personally, I have travelled extensively, including fascinating trips to the Galapagos and recently the Antarctic.



Peter Moore
(BJuris, LLB 1974)

Since graduating I have mainly practised with various medium sized CBD law firms although I did practice on my own for a number of years.

I became an accredited business law specialist in 1991 and currently am practising as a Consultant with Tolhurst Druce & Emmerson.



Ross Betts
(BJuris 1973, LLB 1976)

Memories of the commitment and enthusiasm of the Monash Law School teaching staff remain with me.

I did my articles with

Holding Redlich in 1975, joining the firm in 1977. My practice focussed mainly on industrial and personal injury law.

I was appointed a judge of the Accident Compensation Tribunal in 1987. After five years on the bench, including two years as president, I resumed private practice at my old firm.

In 2000 I was appointed to the Magistrate's Court, a position that I have found most challenging and rewarding of my career. It has been a privilege to be a member of a court that has a strong commitment to engagement with the community and is at the forefront of initiatives in progressive, therapeutic jurisprudence.

I will retire from full time work this year. The law has been very kind to me – not only has it put food and the occasional bottle of wine on the table, it has allowed me to meet some extraordinary people and to forge many lifelong friendships.

Geoff Simpson
(BEc 1973, LLB 1975)

After completing articles with Grant and Co. and then working in the suburbs for a few years I moved to Portland (Hull, Newns and Ballantyne) and then settled in Hamilton as a partner in the same firm. A merger with Cameron and Lowenstern in 1984 formed Hunter Newns with whom I remained as a partner until I retired in 2008. I remain with the firm as a Consultant. I am also a Director of Southern Finance Ltd., a finance company with offices in the Western District.



Judge Frances Millane
(BJuris 1975, LLB 1977, LLM 1987)

I have been a Judge of the County Court of Victoria since 2003. My life as a judge involves hearing criminal and civil cases, sentencing and writing

judgments. It is fulfilling but demanding work.

Following graduation from Monash in 1977 I was articled at Newton Super & Kovacs, admitted to practice in 1978 and, between 1978 and 1983, worked as a solicitor and senior associate with Phillips Fox & Masel.

I joined the Victorian Bar in 1983. Between 1994 and 1998 I held successive appointments as a Judicial Registrar at the Industrial Relations Court of Australia and the Federal Court of Australia. From 1998 to 2003 I was a sessional member of the Victorian Civil and Administrative Tribunal.

In 2002/2003 I chaired the Victorian Bar's Equality Before the Law Committee. I was also a founding committee member and, in 2001/2002, Convenor of the Victorian Women Barristers' Association. In both these roles I worked extensively on initiatives to achieve equality of opportunity for women barristers through the implementation of reforms recommended in the 'Equality of Opportunity for Women at the Victorian Bar' Report published in 1998.

I have published and presented a number of papers. In recent years (2009) I lectured on 'Serious Injury: a Victorian Perspective' to Australian and international law students at the Prato Campus of Monash University in Italy. In 2011 I presented a paper on 'Impaired Mental Functioning – Its Significance in Sentencing' at the 13th Greek/Australian Legal and Medical Conference at Kos in Greece.

Between 1994 and 2001 I served on the Council and subsequently as Deputy Chair of Kildonan Child and Family Service, a community organisation operated by the Uniting Church. More recently in conjunction with Future Leaders I established a working group which planned and produced a leadership program for young women in Year 12 focusing on career development and advocacy in the legal profession. With funding from the Victoria Law Foundation a 'Speaking Parts' Forum was held and filmed at the County Court in 2008. The film is available on the Future Leaders website helen@futureleaders.com.au



Gary Ching

(BJuris 1972, LLB 1974)

I did my Articles of Clerkship in 1976 at Mills, Oakley McKay which at that time operated in a lovely 2 storey terrace house in East Melbourne.

After admission I was

fortunate to obtain a position as a solicitor in the then Criminal Law Branch of the Attorney General's Dept. The year was 1977 and it was the start of the Law Departments drive to employ more legal practitioners in the Criminal Law Branch. That year also marked the start of major legislative change to the conduct and prosecution of rape offences in Victoria. Part of that change included the creation of the Rape Preparation Section, whose staff specialised in the preparation and prosecution of rape cases. The prosecution of rape committals was transferred from Police Prosecutors to the Rape Preparation Section.

I commenced duties as a solicitor in the general preparation section where I remained until 1983. Over that 6 year period I was involved in the prosecution of cases which spanned the whole gamut of criminal offences. In 1983 – the year when the late John H. Phillips, QC became Victoria's and Australia's first Director of Public Prosecutions – I took a position in the Rape Preparation Section of the office, later re-named the Sexual Offences Section. I have been involved in the prosecution of sex offence cases ever since.

I managed the Sexual Offences Section for over 20 years. Following the Victorian Law Reform Commission's report on Sexual Offences; Law and Procedure the office established a Specialist Sex Offences Unit which commenced operation in April 2007. I took a position as the Unit's Legal Prosecution Specialist and currently perform that role.

A significant part of this role involves frequent liaison and advice to Victoria Police on a wide range of matters relating to sexual offences. It also involves assisting Victoria Police with legal education of members of their Sexual Offences and Child Abuse Investigation Teams which were established as part of the VLRC's reform package.

In the past 3 decades no other area in the criminal law has undergone such vast change as the area of sexual offences. These changes have been to the substantive law and procedure. At times the work can be very confronting and challenging but it also has been extremely rewarding. I do feel very proud and privileged to have made my career at the OPP and to have served under the first DPP and all successive DPP's.

I have fond memories of Monash some of which include: the smokers' lounge in the law library; 2 cent coin operated photocopy machines; Farm Week; the wind tunnel between the law library and Ming Wing and Friday afternoons (and nights) at the Nott. It was a period when we were so fortunate to have had many great lecturers and tutors – the late Prof Enid Campbell; Prof Louis Waller and Laurie McCredie to name a few.



Graeme Golden

(LLB 1970, LLM 1975)

In 1964 I was working in the Criminal Law Branch of the Victorian Crown Solicitor's Office in Melbourne, having started there in 1961. I applied to be enrolled in the Law of

Melbourne and Monash Universities, (1964 being the first year of the Monash Law Faculty). My hope was that I would be rejected by both faculties and could then apply to do the articulated clerk's course at RMIT. Admission to the exclusively part-time course was only available to applicants rejected by both law faculties and I had been advised by my employer that, it would at that time only permit part-time law students to attend the RMIT course.

I was rejected by Melbourne, but received a phone call from the Dean's Office at Monash indicating that Professor David Derham wanted to interview me about an application for enrolment which included a wish to be rejected. At that interview I was informed by the Dean that I would not be rejected. I returned to work believing that my prospects of becoming a lawyer were dead before they got started. I advised the Crown Solicitor, Mr Tim Mornane of that outcome and he informed me that David Derham, had rung him, and as a consequence he had agreed to allow me to enrol at Monash. That decision upset the Personnel Officer of the Department and I was given "time off" to enrol for one subject only. I was advised that I would never complete the full degree and I might then be able to enrol at the RMIT course. I completed the eighteen subject course and graduated as an LLB in 1969.

I was admitted to practise in 1970 and within days of my admission was appearing as a Prosecutor for the Crown Solicitor in the Dimboola Magistrate's Court, appearing for the Victorian Health Commission.

I worked as a Prosecutor in the Crown's Summary Prosecutions Branch from 1970 till 1972 appearing on behalf of various Government Departments and Instrumentalities in Magistrates Courts and Administrative Tribunals throughout Victoria.

In 1972 I was appointed to the original post of Solicitor to the Environment Protection Authority. I held that post from 1972 till 1980, for much of the time as a sole practitioner personally conducting all the EPA's litigation before the Courts and Tribunals. In 1973 I again enrolled as a part-time student in the LLM course at Monash graduating from the course in 1975.

In 1980 I was appointed to the newly created post of Director of Policy and Research in the Victorian Attorney General's Office to provide policy advice and manage the legislative program of the Attorney General, Haddon Storey. Not wishing to remain a legal administrator, I applied in 1982 to be appointed a Stipendiary Magistrate and was the first appointment to that post from other than the ranks of the Clerks of Courts.

From 1982 till 1999 I sat as a Magistrate, Coroner, Children's Court Magistrate and Member of the Criminal Injuries Compensation Tribunal in courts throughout Victoria. I retired prematurely in 1999 rather than sit at the Melbourne Magistrates Court, at a time of considerable disharmony at that court. My only involvement with the law since that time was an appearance before the Full Court to move the admission of my daughter, Shelley in 2006.

My one regret as a Monash law student was the fact that, as a part-time student, holding down full-time jobs I could only attend the University for lectures and tutorials and missed the other opportunities available to full-time students. I am however grateful to David Derham and the academic staff at Monash for making my career possible.

James Watt

(BJuris, LLB 1974)

After completing articles and a year or so of private practice I accepted a position in Hong Kong with the Government and more specifically with the Independent Commission Against Corruption. After four years and a lot of travel in South East Asia I returned to Australia and resumed private practice, but not for long. Thereafter followed a career in the Australian Defence Force as an Army Legal Officer with interesting overseas postings and challenges involving international humanitarian law, law of armed conflict, and the interoperability of our Defence Force with foreign defence forces. I attained the rank of the Lieutenant Colonel and resigned my commission in 1995 and transferred to the Army Reserve where I served as a weekend warrior until approximately 2005. In 1995 I returned to private practice in Queensland where I continue as a consultant practitioner.

My best memories of my five years at Monash are Friday afternoons and evenings at the Nott and all involvements I had with Lawrie McCredie who I will always admire immensely for his insight, integrity, and skills as an educator.

Lucio Dana

(BA 1972, LLB (Hons) 1974)

Is a specialist advisor to families in business on intergenerational transition and succession issues. After graduating Lucio completed articles with Minter Ellison (1975) and then joined the firm of Macpherson & Kelley (1976–1986) where he became a partner in 1977. In 1986 he became the Director of the Centre for Commercial Law and Applied Legal Research, at the Monash University Law School. In 1987 Lucio became the Chief Executive Officer of the National Mortgage Market Corporation from which he retired in 1996 to pursue a career as a management consultant.

With Professors Kosmas Smyrniotis & Claudio Romano, Lucio is co-author of *Family Business Succession Planning: A 10 Step Guide* published by Centre for Professional Development in 2000 and of *Succession Matters: The Australian Family Business Survey 2000*.

Lucio was Consultant – Family Business Programs at the Monash University from 1998–2002 where he was a sessional lecturer in graduate and undergraduate Family Business Programs.

Costello Lecture

The Annual Costello lecture was presented by Monash alumnus and prominent barrister Mr Brian Walters SC at the Monash University Law Chambers on Thursday 15th September.

Mr Walters has a passion for human rights advocacy and the environment. He is the former president of Liberty Victoria and has written and spoken widely on human rights issues. He has also campaigned on numerous environmental issues, from the Franklin River in Tasmania to the forests of East Gippsland.

The lecture titled 'Engaging our Vision of rights' discussed the need to consider more than the rights of humans in this period of climate change.

Mr Walters said "Human rights and respect for the environment cannot be separated."

The closing statement from Brian's lecture summed up both an inspiring and informative lecture.

"Let us work to give rights to the poor, the powerless, to the indigenous, to women, to those who are marginalized, and build respect for all sectors of our community. For human rights to resonate most richly today, we should recognize the rights of all life – the rights of the Earth on which we all depend, the rights of the community of life of which we humans form part."



L to R: Professor Arie Freiberg AM, Mr Brian Walters SC, Mr Tim Costello AO, Federal Magistrate Riethmuller, The Honourable Justice Paul Cronin.

This annual lecture is devoted to ethics and social justice and is named after Monash alumnus and World Vision Australia CEO Reverend Tim Costello AO, who presented the first lecture in 2001.

2011 Great Law Week Debate

As part of the annual Law Week celebrations, Monash Law School alumni and current law students took part in the annual Great Law Week Debate held at BMW Edge, Federation Square in front of a packed audience.

The debate was moderated by Monash alumnus Will Fowles and the topic was 'Social media is free speech gone mad'. The alumni team argued the negative and were lead by team captain and barrister Shivani Pillai joined by Supreme Court Judge The Honourable Lex Lasry QC and Liberty Sanger, Principal and director of Maurice Blackburn.

The student team consisted of team captain Kiran Iyer who was a Grand-Finalist at the 2008 Australasian Debating Championships, Fiona Prowse 2010 world debating championship winner and 2009 MAD president Damien Bruckard. The students argued strongly for the affirmative and were announced the winners at the end of the debate by current MADS president Luke McGreevy.

Disclaimer: The Great Law Week Debate identifies a topical issue and then allocates the debaters to either the affirmative or negative team. The debaters arguments were based on the topic and the team they were in rather than their own beliefs.



Back L to R: Kiran Iyer, Damien Bruckard, Liberty Sanger, The Honourable Justice Lex Lasry QC Front L to R: Fiona Prowse, Will Fowles, Shivani Pillai.

Studying Law with a Global Perspective

Forty-seven law students from North America, Europe, Asia and Australia participated in the 2011 Monash Law Malaysia Program to study units in comparative law and international law at Monash University Sunway campus. Like its sister program in Prato, the Malaysia program aims to internationalise the law curriculum and prepare law students for the global practice of law.

"It is essential that law students acquire the knowledge and skills to deal with the diverse legal traditions, systems and procedures which many will encounter in their future employment. The program provides a great opportunity by bringing together students and academics from around the world and by immersing them in an international environment," Program Convener Dr Normann Witzleb said.

In its second year, the intensive eight-week program saw student participation from City University Hong Kong, University of Malaya, University of Paris Sud XI, University of Windsor (Canada) and Monash University. Units taught included Medical Ethics and Law (Dr Sharon Kaur, University of Malaya), Corporate Social Responsibility (A/Prof Surya Deva, CityU HK), International and Comparative Tax Law (Prof Stephen Barkoczy/Monash), Malaysian and Singaporean Constitutional Systems (Prof H P Lee/Monash), Corporations Law and International Perspectives on Torts Law (both Dr Normann Witzleb/Monash).

To complement their classroom studies, students visited local law firm Shearn Delamore & Co, where partners Dato' Johari Razak and Ng Swee Kee presented on the practice of corporate law in Malaysia and explained some of the differences between Australian and Malaysian corporate regulation. Students also had the opportunity to have a guided tour the Palace of Justice in Putrajaya. During their visit, the students were greeted by the Chief Justice of Malaysia and were also addressed by Justice James Foong, a judge of the Federal Court of Malaysia.



Students in the Malaysia Law Program L to R: Professor H P Lee, Federal Court Judge Tan Sri James Foong, Chief Justice Tun Dato' Zaki bin Tun Azmi, a visiting judge from Netherlands, and Dr Normann Witzleb.

Monash University Law Chambers

Monash University Law Chambers moved to a new specially-designed premise in the Melbourne CBD earlier this year.

The new Chambers is located in the heart of the city's legal precinct at 555 Lonsdale Street, adjacent to Owen Dixon Chambers and within walking distance of the Magistrates, County and Supreme Courts.

Professor Arie Freiberg, Dean of the Faculty of Law, said that the demand for Monash postgraduate law programs provided the incentive for the move from the previous premises in Bourke Street.

"The new premise is a modern and flexible space which includes eight fully equipped teaching rooms, a library node, wireless facilities, a function centre for up to 200 people, and a number of individual and group learning spaces. It complements perfectly the faculty's culture of encouraging independent learning and thought.

"The new building's position allows us to maintain our close ties to the Melbourne legal community and the larger space allows us to meet the increasing demand for our postgraduate courses," Professor Freiberg said.

Our postgraduate students, academic and professional staff now occupy the Chambers and are enjoying the first-class teaching environment and modern amenities in a contemporary and sophisticated setting.

Monash University Law Chambers was officially opened on Tuesday 15th November.



Garma Festival 2011

Recently students from Monash University attended the 2011 Garma festival. Current law student Sarah Griffin writes about her experience of the festival below.

Garma is an annual event that has been occurring since time immemorial and is held at Gulkula, a remotely located traditional meeting ground in Arnhem Land. As an initiative of the Yothu Yindi Foundation, Garma has today evolved to be regarded as Australia's leading cultural exchange event. It provides an opportunity for Indigenous people across the top end of Australia to celebrate cultural traditions and practices, through dance, song, music and art. The Garma festival is also host to a Key Forum involving academic discussions and presentations on language and culture, the theme of which changes annually and in 2011 was 'Academic Excellence and Cultural Integrity'. The scope of the Key Forum, however, is never limited to a narrow interpretation of the theme, with presentations in previous years covering legal, educational, social, cultural, economic and medical issues.

Garma 2011 began and lived up to its reputation as a unique experience where the Yolngu people provide others with the privileges of living on Yolngu-owned land and learning about Indigenous cultures and issues.

We commenced each day at the festival by eating breakfast overlooking the Gulf of Carpentaria. Each morning, despite having now attended the festival for three consecutive years, I found myself struck by the absolute privilege of being able to sit on that escarpment, look at that view and feel comfortable to be there.

The generosity of the Yolngu people in hosting others on their land, let alone such an enormous amount of people, is an aspect of this festival that perhaps is overlooked due to the humble nature of the Yolngu people. It is an aspect, however, that I believe is worthy of attention as it provides insight into the power of forgiveness and how this in turn allows for the creation and generation of an awareness of Indigenous cultures.

During the days, we floated between seminars that were conducted in shelters dotted around the campsite. Time's presence, as a Western concept, is not felt, with seminars tending to commence when those involved are ready. Adaptability is the key to enjoying the festival, as seminars may or may not run due to different reasons such as logistical difficulties in ensuring participants arrive at Gulkala. Seminar participants varied from academics, professionals, politicians, community workers, community leaders to Indigenous and non-Indigenous youths. Each is willing to share their experiences and provide their advice in the hope of contributing to the painting of a holistic image of the Indigenous issues in focus. This unique combination of speakers creates engaging, broad and open discussions of Indigenous issues, providing invaluable learning opportunities for all involved. These discussions represent the essence of the Garma experience; the positive representation of Indigenous cultures that is often sadly absent from the Australian media's portrayal of Indigenous cultures.

It is difficult to articulate beyond this point the true value of the Garma experience. It is something that I strongly believe must in fact be 'experienced'.

While the Garma festival does have this serious element woven through the forums on offer, it must be kept in mind that the festival is also a lot of fun! With local bands performing every night, an art gallery in the bush, the opportunity to spend the evening stargazing with absolutely nothing obstructing one's view, the chance to visit some of the most beautiful beaches one could ever find, this experience does not disappoint. Each night, as one lies in one's tent, the silence of the bush is only interrupted by the myriad of thoughts emanating from the stimulus of the day's experiences.

Sarah Griffin, current Monash Law student.



Monash inspiring students to become construction lawyers



Monash is one of only a handful of law schools to offer construction law as an elective in an LLB or JD program in Australia. Every year approximately 70–80 students enrol in Construction Law [LAW4190] taught by Dr Paula Gerber.

Inspired by Dr Gerber's enthusiasm for the subject and her expertise in the area – developed over 20 years working as a construction lawyer in Australia,

England and California – many students are deciding that this is an area they would like to specialise in. Students are seeking to further their knowledge of this unique area of law by undertaking further study, including honours, masters and PhDs, and by seeking work in the construction groups of major law firms, or boutique construction practices such as MolinoCahill, who sponsor the prize for the top student in Construction Law.

However, recently another pathway has opened up for students wanting to gain further knowledge and insight into construction law. In 2011, the Building Commission offered internships to five Monash law students who had completed the construction law subject. These students are spending one day a week at the Commission over the course of a semester.

They will undertake a variety of research projects looking into issues as diverse as the regulation of owner-builders; best practice regarding environmentally sustainable building; and maintaining public safety at places of public entertainment/mass gatherings. The interns will be conducting comparative international research and writing a report for the Building Commission that will help inform the development of future regulation.

Johanna Bidwell, the Research Coordinator at the Building Commission, said "The Building Commission welcomes the opportunity to expose the next generation of lawyers to the work of the Commission. Research undertaken by the interns will make a valuable contribution to the building regulatory environment in Victoria and we look forward to developing a close working relationship with Monash Law School."

Dr Gerber said "It is gratifying to see so many of my students express an interest in pursuing a career in construction law. The opportunity to do an internship at the peak regulatory body for building work in Victoria is providing students with invaluable practical experience. There is a saying that 'Theory without practice is as lifeless, as practice without theory is thoughtless!' These internships at the Building Commission go a long way to ensuring that Monash students are neither lifeless nor thoughtless when it comes to construction law!"



Raeesa Rawal – current law student

Raeesa Rawal is participating in an internship at the Building Commission and hopes to get more of an insight into Construction Law.

Q. What do you want to achieve from participating in the internship at the Building Commission?

A. Firstly, given that my interest lies in Construction Law, I hope that this internship will allow me to have a rare insight into this field. It will grant me the opportunity to view construction Law from the public sector and raise my awareness of construction law in Australia. There are many differing areas that make up construction law and often, in any given case there can be many overlapping areas. Being an intern at the Building Commission will hopefully allow me to broaden my knowledge about construction law and allow me to discover one facet of construction law in depth.

Secondly, the nature of the work that I am involved in at the commission is predominantly research work. Given that this is such an imperative skill for law students to have, I hope that participating in this internship will improve my research skills and give me a rare opportunity to produce a document for an organisation to use for internal purposes.

Q. How will participating in the internship benefit you?

A. Aside from the two main benefits that I have mentioned above, I believe that the internship will also give me one other significant benefit. Namely, it will allow me the opportunity to network with people within the industry. In doing this, hopefully I will be able to get my name out in an industry that I one day hope to have a significant impact within. Further, being involved in the construction law field not only gives me the opportunity to develop relationships with people who maybe my future colleagues, but will also hopefully be the stepping stone to fostering further professional relationships.

Q. What interests you about construction law?

A. The construction law industry in Australia is at a very important stage at the moment. The past couple of years have seen the industry undergo a revolution in order to align itself with current trends in building construction and also to ensure that it adopts and implements the most efficient and effective practises from around the world. Quite significant examples of this include current trends in modern dispute resolution and reforms to litigation alternatives in Australia. It is because of these changes and the overall growth in the construction law industry that I am attracted to this field. I would love to be part of an industry that is not only challenging but is constantly changing and therefore allows me the room to implement and introduce new initiatives. Further being part of a field of law that is currently embarking on significant changes means that as the years go on, hopefully I will have the opportunity to be a part of this change and have the chance to have my own input into areas of construction law that I would like to see further development in.

Q. Any other comments

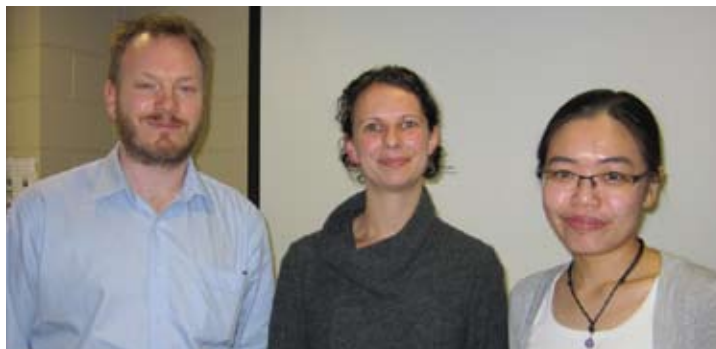
A. This internship is emblematic of Monash Law School's approach to every student's learning and development. The lecturers here are renowned for ensuring that students have all the available opportunities presented to them and have the ability to take part in any extracurricular opportunities that exist out in the work force. Paula Gerber, my construction law lecturer and mentor, is responsible for initiating this internship and giving students such as myself a chance to be involved in an area that is of interest to us. Paula's actions are almost like breaking ice for students like myself who search for any opportunity to enter the construction law field. While the construction law industry here in Australia has a long way to go when it comes to early student integration, it is lecturers like Paula who step outside their obligations as lecturers and create opportunities for students. While I may still be swimming in freezing water when it comes to other available opportunities for law students in the construction law sector, if it wasn't for Paula and her kind efforts, students such as myself would still be walking on ice, waiting for a 'break' to come along.

PhD researcher to international expert

Dr Diana Bowman was the guest speaker at the HDR Students Group Meeting on 3 August 2011.

At this informal presentation, Diana discussed her 'PhD and post-doc journey', which has taken her from the Monash Law School to the School of Public Health at the University of Michigan and her shift from PhD researcher to international expert in the regulation of emerging technologies.

Diana was awarded the Mollie Holman Medal in 2007 from Monash University in recognition of her outstanding doctoral thesis in law for that year. In September 2011, she took up the position of Assistant Professor in the Department of Health Management Policy, School of Public Health at the University of Michigan and as an Associate Professor at the University of Twente (the Netherlands).



L to R: Mr Matt Randall, Monash Law School's Manager Research Services; Dr Diana Bowman, guest speaker; and Ms Ainee Adam, 2011 Chair of the HDR Students Group.

International PhD students

Meet the first PhD students from Panama, Saudi Arabia and Thailand who commenced at Monash Law School in 2011.



Fernando Mendez Powell completed his Bachelor of Law and Political Sciences in Panama, soon after he left to pursue an LLM in Indiana University in Indianapolis, U.S.A. Upon completion he practiced for two

years in the law firm Lau & Lau Attorneys at Law in Panama before leaving to pursue a European Masters in Human Rights and Democratization, coursing the first semester at the European Inter University Centre in Venice, Italy and the second in K.U. Leuven in Leuven, Belgium. For his masters degrees he completed a theses in 'Freedom of Education and the Cultural Right to Education' and 'Human Rights Considerations for Spectrum Management Policies' and is co-author along with Andres Pizarro Sotomayor of the *Manual on International Human Rights Law – Substantive Aspects* (published in Spanish) which has been cited in court decisions in Panama and Colombia.

He is currently pursuing PhD Degree at Monash University under the supervision of Ms Sharron Rodrick, supported by the Monash International Postgraduate Research Scholarship (MIPRS) and the Monash Graduate Scholarship (MGS). The working title for his thesis is 'Regulation of Third Sector Broadcasting – What can we learn from the Australian and Canadian Experiences'.



Majed M. Al-Faisal research project is about the Saudi Arabian Islamic Criminal Law and Justice System and its legal responses to international criminal law.

He earned a Master's degree in Transnational Crimes Prevention with Distinction in 2009 at the University of Wollongong. In 2002, Mr. Al-Faisal completed a Postgraduate Certificate in the Islamic Criminal Law and Justice System with Distinction from the Higher Judicial Institute at Al-Imam Mohammad Ibn Saud Islamic University. He acquired his bachelor's degree in law, with distinction and honour class II, from King Abdul Aziz University in 2001.

His main legal experience was as a member of the Saudi Bureau of Investigation and Public Prosecution for four years. In addition, he spent nearly three years as a legal adviser in various sectors related to Saudi Arabian criminal law and the justice system.



Patharawan Chongchit is the Faculty's first PhD Candidate from Thailand. She completed her LLB (Hons) from Thammasat University, Thailand. Patharawan first joined Monash in 2006 where she completed an LLM (Commercial Law) in the

same year and soon after completed an LLM (International and Comparative Law) in 2008. Prior to commencing her master degrees Patharawan worked as a supervisor-Legal Counsel at the Stock Exchange of Thailand.

After completing her master degrees from Monash, Patharawan returned to Thailand and become a lecturer at the Faculty of Law, Thammasat University. She was awarded the Scholarship from Thammasat University to pursue her PhD in July 2011. Her PhD topic is on alternative models of investment protection arbitration under supervision of Professor Jeff Waincymer. Patharawan chose to come to Monash for her PhD because of the expertise of Professor Waincymer and the faculty's strength in legal research as well as excellent research facilities and friendly staff.



Piers Gooding

Australian Bicentennial Scholarship Awarded

Master of Philosophy student Piers Gooding was awarded an Australian Bicentennial Scholarship by the King's College London.

Piers will be taking up this scholarship in March 2012 for three months to conduct research on supported decision-making and mental health law at King's College London. This is part of his PhD thesis which is being supervised by Professor Bernadette McSherry and Dr Penny Weller.

Labour Law, IP, Corporate and Competition perspectives of Business Innovation: International conference and postgraduate unit

In May 2011, three Monash Law academics, Professors Marilyn Pittard and Ann Monotti and Associate Prof John Duns ran a highly successful conference at the Monash University Centre in Prato, Italy on Protecting Business Innovation – A Legal Balancing Act. It involved international speakers from the United Kingdom, the United States, Europe and Australia.

Various laws come into play when endeavouring to protect business innovation. Employment law and intellectual property laws play a part because it is often the employee who is the inventor or innovator and issues arise as to whether the employee has undertaken this innovation or made an invention as part of his or her contract of employment. Competition law may play a role, too, because a monopoly on the invention may be granted by intellectual property laws ensuring there is secrecy of the invention for a period – but how should this be balanced with aims of promoting competition and competitive business behaviour? The nature of the corporate entity and different corporate structures which undertake the research and development bring into play corporate law and concepts of good faith and unconscionable conduct. Instead of examining these issues separately, the conference was interdisciplinary, bringing together several fields of law – Labour and Employment, Intellectual Property, Competition and Corporate Laws.

Gathering together internationally not only legal practitioners and academics, but also judges, policy makers, persons in research institutes, both public and private, the conference focussed on analysing and evaluating the role and influence of these different fields of law. Perspectives which pertained to the particular discipline were analysed and the question whether there could be a more harmonised approach to the legal protection of business innovation was identified and examined with particular reference to some EU jurisdictions.

Conference speakers included the Honourable Ray Finkelstein, then Justice of the Federal Court of Australia, Professor Rochelle Dreyfuss, New York University Law School and other US academics Professors Rick Bales, Jay Kesan and Catherine Fisk; Professor Simon Deakin, Cambridge University; Oxford University academics, Justine Pila and Jeremias Press; the Honourable Justice Paul Finn, Justice of the Federal Court of Australia; European experts Dr Marie Christine Janssens and Professor Riccardo Del Punta; and UK and Australian practitioners, John Hull, Dorothy Livingston and Chris Molnar.

The other novel aspect of this conference was that it formed the basis for the teaching in a unit for the postgraduate law program—either for the Master of Laws or for an elective unit in the JD program. Students enrolled in the unit attended and participated in the conference over three days supplemented by additional teaching. It enabled them to hear presentations from international experts in the field, as well as engage in informal discussions with them.

Professor Marilyn Pittard

Director International, Faculty of Law
Monash University



L to R: Prof Ann Monotti, Prof Marilyn Pittard, Assoc Prof John Duns, conference leaders.

Tamsyn Hutchinson

Current Master of Laws student

I am very fortunate to have attended the Business Innovation: A Legal Balancing Act conference at the Monash Prato Centre in Italy as part of my studies towards a Master of Laws. The conference provided a fascinating international perspective on the intersection between intellectual property, corporate, competition, and employment law in relation to the protection of business ideas, research, and discoveries. The Innovation unit structured around the conference represented an invaluable opportunity for students to gain insights from leading academics and practitioners in these areas.

Speakers included the Honourable Justices Paul Finn and Ray Finkelstein, partners from Melbourne- and London-based law firms, lecturers and professors from universities such as Monash University, the University of Oxford, the University of Cambridge, New York University, the University of Glasgow, and the University of California, and practitioners from research bodies such as the CSIRO and the National Human Genome Research Institute.

Michelle Jeffrey

Current JD student

The conference offered a unique opportunity to learn from international experts in business innovation and the law. I would recommend participation in the Business innovation: A Legal Balancing Act conference to anyone wishing to gain an overview of Business innovation and the law. The conference was a highlight in the Prato program.

Law

Emerging Challenges in Privacy Law: Australasian and EU Perspectives



Privacy is a fundamental human right that is closely associated with human dignity and individual autonomy. Yet privacy is under increasing threat, especially from new technologies and new media. This conference will consider a wide range of current and emerging issues in Australian privacy law, provide commentary on the law reform agenda, and discuss recent European developments in data protection and privacy law.

Date: Thursday 23 – Friday 24 February, 2012

Venue: Monash University Law Chambers
555 Lonsdale Street Melbourne

Bookings and Further Information:

For more information and registration details, please visit www.law.monash.edu.au/about-us/events/privacylaw

Early Bird registration closes: Thursday 12 January 2012

 **MONASH** University

Postgraduate Law Units: January – June 2012

For full timetable details visit: www.law.monash.edu.au/postgraduate/timetables/

		<i>commencing</i>
LAW7278	Comparative competition law (Thomas Cooley) John Duns	early January <i>Semi-intensive</i>
LAW7043	Sentencing Richard Fox	3 January <i>Intensive</i>
LAW7442	Overview of banking law Rhys Bollen	19 January <i>Intensive</i>
LAW7326	World Trade Organization (WTO) law Jeff Waincymmer	1 February <i>Intensive</i>
LAW7022	Forensic family law Renata Alexander, Nahum Mushin	2 February <i>Intensive</i>
LAW7418	Human rights advocacy: Australian law and practice Kate Eastman	9 February <i>Intensive</i>
LAW7276	Principles of taxation Mei-Ling Barkoczy	13 February <i>Intensive</i>
LAW7435	Workplace bargaining and agreements law Marilyn Pittard	13 February <i>Semi-intensive</i>
LAW7436	Introduction to Australian legal process (<i>International students only</i>) Leighton Morris	13 February <i>Intensive</i>
LAW7285	Legal research and communication (<i>International students only</i>) Leighton Morris	14 February <i>Semester long</i>
LAW7213	Law of the internet Ian Brown (<i>International visitor</i>)	20 February <i>Intensive</i>
LAW7011	Copyright Warwick Rothnie	21 February <i>Semester long</i>
LAW7212	Australian legal system Yet Bryant	26 February <i>Intensive</i>
LAW7477	Legal Process and professional conduct Yet Bryant, Ian Horak, Damian Slyzis	26 February <i>Intensive</i>
LAW7466	Interpretation and validity of patent specifications David Carmichael, Virginia Beniac-Brooks, Tony Ward, Karen Sinclair, Jenny Petering	28 February <i>Semester long</i>
LAW7474	Collaborative practice Tania Sourdin, Cathy Gale	29 February <i>Intensive</i>
LAW7223	Overview of intellectual property Ian Horak	1 March <i>Intensive</i>
LAW7478	Public international law Richard Joyce	1 March <i>Intensive</i>
LAW7056	Competition law John Duns, Andrew Monotti	5 March <i>Semester long</i>
LAW7308	Expert evidence Ian Freckelton	5 March <i>Semi intensive</i>

		<i>commencing</i>
LAW7465	Drafting patent specifications David Carmichael, John McCormack, Trevor Beadle, Jenny Petering	5 March <i>Semester long</i>
LAW7083	Law of employee relations Richard Naughton	7 March <i>Semester long</i>
LAW7323	International banking and finance: law and practice Emmanuel Laryea	7 March <i>Semi-intensive</i>
LAW7263	Overview of corporate law Scott Wotherspoon	13 March <i>Semester long</i>
LAW7433	Patenting for commercialisation Ann Monotti	16 March <i>Semi-intensive</i>
LAW7026	Overview of international human rights law Heli Askola	19 March <i>Intensive</i>
LAW7475	Advanced mediation: Skills and theory A Tania Sourdin, Anne Sutherland Kelly	20 March <i>Intensive</i>
LAW7451	International trade mark law Graeme Dinwoodie	30 March <i>Intensive</i>
LAW7313	Regulatory fundamentals: concepts, constructs and context Graeme Hodge	12 April <i>Intensive</i>
LAW7441	Law of workforce management Joanna Betteridge	13 April <i>Intensive</i>
LAW7481	Children's rights in international law Paula Gerber	16 April <i>Intensive</i>
LAW7009	Commercial tenancy law Damien Cremean	26 April <i>Intensive</i>
LAW7251	Negotiation and mediation skills Shawn Whelan	10 May <i>Intensive</i>
LAW7076	Principles of privacy and freedom of information Moir Paterson	8 May <i>Semi-intensive</i>
LAW7476	Advanced mediation: Skills and theory B Tania Sourdin, Anne Sutherland Kelly	16 May <i>Intensive</i>
LAW7218	International humanitarian law TBA	17 May <i>Intensive</i>
LAW7445	Issues in consumer policy David Cousins	17 May <i>Intensive</i>
LAW7019	European union law and policy Geert Van Calster	22 May <i>Intensive</i>
LAW7317	Evaluating what works in regulation Graeme Hodge	24 May <i>Intensive</i>
LAW7068	International environmental law Geert Van Calster	28 May <i>Intensive</i>

LAW Matters

Law Matters is published bi-annually and is the official newsletter for the Monash University Law School.

If you have an interesting story or something you wish to say, please contact Kate Daley on + 61 3 9905 2630 or email

Kate.Daley@monash.edu

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

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For additional copies

Contact Kate Daley on + 61 3 9905 2630
or email Kate.Daley@monash.edu

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Faculty of Law
Monash University
Clayton, Victoria 3800, Australia

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