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Foreword by Director of Research

Sydney Law School is a research-intensive faculty located in one of Australia’s premier research universities.

The Faculty of Law has a long and proud tradition of scholarship across many different modes – including doctrinal, philosophical, theoretical, socio-legal, empirical and interdisciplinary work. Policy-related work for government or in conjunction with national or international bodies also features strongly in the mix, ensuring the fruits of research are enjoyed by the community at large. Diversity and social impact are two of the qualities we value, which help to account for the range and quality of our research activity and its high standing within the legal profession and the courts.

Sydney has a large and vibrant cohort of candidates for higher degrees by research and regularly tops the Australian rankings for thesis completions in law. Our academic staff have a strong record of winning national competitive grants from bodies like the Australian Research Council. We also house a number of research centres and institutes which reflect our pre-eminence in certain fields of research, and our staff are very prominently represented in ARC networks which gather together leading researchers across the nation.

The Faculty of Law enjoys the highest proportion of ‘research-active’ staff from the faculties covering the humanities and social sciences at the University of Sydney, and our publications are notable for their scale and quality. Staff regularly publish in leading international and national journals noted for their scholarly and professional impact, and faculty publications rank number five in the world for downloads from non-US-based faculties on the Legal Scholarship Network of the prestigious web-based Social Sciences Research Network for the international dissemination of research.

This Research Report, the second to be produced electronically as a web-published PDF, showcases the range and depth of research achievements generated by my colleagues during 2006 to 2007. The fascinating array of material and projects is proof positive of the quality and vibrancy of the research culture of the Faculty of Law at Sydney.

It is the reason why faculty colleagues and affiliates and our large cohort of research candidates so value their connection with us.

Terry Carney
Director of Research
Academic staff in the Faculty of Law

Dean
Ron McCallum, BJur LLB Monash LLM UQ
Blake Dawson Waldron Professor of Industrial Law

Professors
Margaret Allars, DPhil Oxf BA LLB Sydney
Patricia Apps, BArch NSW MEd Yale PhD Camb, ARAIA
Professor in Public Economics in Law (Personal Chair)
Hilary Astor, BTech(Law) PhD Brunel
Abbott Tout Professor of Litigation and Dispute Resolution
Ben W Boer, BA LLM Melbourne, Professor of Environmental Law (Personal Chair) and Associate Dean (International) Sem 1, 2006
Peter Butt, BA LLM LLD Sydney
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Director of Research 2006-07
John W Carter, PhD Camb BA LLB Sydney
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Christopher Cunneen, BA DipEd UNSW MA PhD Sydney
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Ian Freckleton, BA (Hons) LLB Sydney PhD Griffith DipThM ANH
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Pat O’Malley, BA Melbourne MA VU PhD LSE
Patrick N Parkinson, MA Oxf LLM III
Head of School 2006
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Challis Professor of International Law
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Richard J Vann, BA LLB UQ BCL Oxf
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George Winterton, LLB LLM UWA JSD Col
Professor of Constitutional Law

Associate professors
Lee Aitken, BA LLB ANU BCL Oxf
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PhD Adelaide

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Ghena Krayem, BA LLB Sydney

Miiko Kumar, BA LLB Sydney

Jane McAdam, BA, LLB Sydney

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Katherine Miles, BA LLB Auck

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Rita Shackel, BSc LLB DipEd MA Sydney

Belinda Smith, LLM Col BEd LLB Sydney

Tim Stephens, BA LLB Sydney MPhil Camb PhD Sydney

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Kevin Walton, LLB Edin MA UCL

Research-only academic staff
Judith Cashmore, BA (Hons) DipEd Adelaide MEd UoN PhD Macquarie

Judith Single, BA MAppSc Sydney

Jane Wangman, BA LLB UNSW

Irene Watson, LLB PhD Adelaide
University of Sydney Postdoctoral Research Fellow

Emeritus professor
Ivan Shearer AM RFD, LLB LLM Adelaide SJD Northwestern

Challis academics
The Hon Justice Robert P Austin, BA LLM Sydney DPhil Oxf

The Hon Justice Arthur R Emmett, BA LLM Sydney
Challis Lecturer in Roman Law

Dr Mark Leeming, BA LLB PhD Sydney
Challis Lecturer in Equity

Honorary faculty staff
Richard Chisholm, BA LLB BCL Oxf, Honorary Professor

Bron McKillop, BA LLB BEd Sydney LLM Harv
Honorary Senior Lecturer
## Adjunct staff

<table>
<thead>
<tr>
<th>Name</th>
<th>Course/s taught</th>
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<tbody>
<tr>
<td>Nicole Abadee</td>
<td>International Law and the Use of Armed Force</td>
</tr>
<tr>
<td>Imtiaz Ahmed</td>
<td>Corporate Law</td>
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<tr>
<td>Justice James Allsop</td>
<td>Commercial Maritime Law</td>
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<tr>
<td>Anne Amos</td>
<td>Corporate Law</td>
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<tr>
<td>Nove Angelovski</td>
<td>Criminal Law</td>
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<tr>
<td>Fady Aoun</td>
<td>Corporate Law</td>
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<tr>
<td>Michael Appleby</td>
<td>Litigation</td>
</tr>
<tr>
<td>Brian Arnold</td>
<td>Tax Treaties</td>
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<tr>
<td>Hon Justice Robert Austin</td>
<td>Takeovers and Reconstructions; Corporate Fundraising</td>
</tr>
<tr>
<td>Dr Gerry Bates</td>
<td>Environmental Law and Policy; Pollution Law; Natural Resources Law</td>
</tr>
<tr>
<td>Professor Phillip Bates</td>
<td>Health Care and Professional Liability</td>
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<tr>
<td>Dr Andrew Bell</td>
<td>Transnational Commercial Litigation</td>
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<tr>
<td>Dr Alan Bennett</td>
<td>Customs Law</td>
</tr>
<tr>
<td>Dr Christopher Birch</td>
<td>Legal Responsibility and Philosophy of Mind; Aspect of Law and Justice</td>
</tr>
<tr>
<td>Edwin Bikundo</td>
<td>Foundations of Law</td>
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<tr>
<td>Associate Professor</td>
<td>Australian Financial Services Regulation</td>
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<td>Ashley Black</td>
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<tr>
<td>Luke Brasch</td>
<td>Litigation</td>
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<tr>
<td>Michael Bridge</td>
<td>International Sale of Goods</td>
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<tr>
<td>Louise Buchanan</td>
<td>Torts</td>
</tr>
<tr>
<td>Chole Burnett</td>
<td>The Impact of Tax on Business Structures &amp; Operations</td>
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<tr>
<td>Shayne Carter</td>
<td>Taxation of Superannuation</td>
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<tr>
<td>Vicki Chartrand</td>
<td>Explaining Crime</td>
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<tr>
<td>Garner Clancey</td>
<td>Young People, Crime and the Law</td>
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<tr>
<td>John Currie</td>
<td>Regulation of Derivatives Products and Markets</td>
</tr>
<tr>
<td>Professor Jim Davis</td>
<td>Practical Legal Effects of the Interaction of Tort and Contract</td>
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<td>Name</td>
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<tr>
<td>Professor Kurt Deketelaere</td>
<td>International Energy</td>
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<td>Professor Deborah DeMott</td>
<td>The Law of Agency</td>
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<tr>
<td>Justice Arthur Emmett</td>
<td>Roman Law</td>
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<tr>
<td>Professor Ian Freckelton</td>
<td>Expert Evidence</td>
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<tr>
<td>Professor Gerald Fridman</td>
<td>Practical Effects of the Interaction of Tort and Contract</td>
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<tr>
<td>Professor Michael Furmston</td>
<td>Recent Developments in Contract Remedies; Construction Law</td>
</tr>
<tr>
<td>Professor Malcolm Gammie</td>
<td>UK International Taxation</td>
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<tr>
<td>Roger Hamilton</td>
<td>Tax Litigation</td>
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<tr>
<td>Dr Peter Harris</td>
<td>Comparative Corporation Taxation</td>
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<tr>
<td>Dr Keith Hayward</td>
<td>Contemporary Crime Issues</td>
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<tr>
<td>Melissa Heath</td>
<td>Transfer Pricing in Taxation</td>
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<tr>
<td>Professor Irene Heng</td>
<td>Asia Pacific Environmental Law</td>
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<tr>
<td>Christopher Hodgekiss</td>
<td>Competition Law</td>
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<tr>
<td>Justice Hogan-Doran</td>
<td>Jessup International Law Moot; International Commercial Litigation</td>
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<tr>
<td>Ian Jordan</td>
<td>Law, Lawyers and Justice; Federal Constitutional Law</td>
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<tr>
<td>Jocelyn Kellam</td>
<td>Consumer Protection Law: Liability of Supplies to Consumers</td>
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<tr>
<td>Tim Kyle</td>
<td>The Impact of Tax on Business Structure &amp; Operations</td>
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<tr>
<td>Mark Leeming</td>
<td>Equity</td>
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<tr>
<td>Dr Axel Linneweber</td>
<td>European Labour Law in Context</td>
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<tr>
<td>Susanne Llyod-Jones</td>
<td>Law, Lawyers and Justice</td>
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<tr>
<td>Margaret McAleese</td>
<td>Legal Research</td>
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<tr>
<td>Bron McKillop</td>
<td>Criminal Procedures</td>
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<tr>
<td>Anne McNaughton</td>
<td>The Legal System of the European Union</td>
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<tr>
<td>Eliza Mil</td>
<td>Issues in Electronic Commerce</td>
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<tr>
<td>Kate Miles</td>
<td>Law, Lawyers and Justice; Legal Reasoning and the Common Law System; International Environmental Law; International Trade and Environment</td>
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<tr>
<td>Geoffrey Miller</td>
<td>International Regulation of Banks and Financial Institutions</td>
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<tr>
<td>Andrew Mills</td>
<td>Taxation of Superannuation</td>
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<tr>
<td>Derek Morgan</td>
<td>Health Law and Globalisation</td>
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<tr>
<td>James Morris</td>
<td>Litigation</td>
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<tr>
<td>Hitoshi Nasu</td>
<td>Public International Law</td>
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<tr>
<td>Dvid Newlyn</td>
<td>Foundations of Law</td>
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<tr>
<td>Grant Niemann</td>
<td>International Criminal Law</td>
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<tr>
<td>Bridie Nolan</td>
<td>Litigation</td>
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<tr>
<td>Paul O’Donnell</td>
<td>Taxation of Financial Transactions</td>
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<tr>
<td>Kyle Oliver</td>
<td>Law, Lawyers and Justice; Real Property</td>
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<tr>
<td>Alison Pert</td>
<td>International Law and Australian Institutions; International Law and the Use of Armed Force</td>
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<tr>
<td>Professor John Prebble</td>
<td>Jurisprudence of Tax</td>
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<tr>
<td>Brian Preston QC</td>
<td>Biodiversity Law</td>
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<tr>
<td>Mark Richmond</td>
<td>Stamp Duties</td>
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<tr>
<td>Dr James Rendwick</td>
<td>National Security Law</td>
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<tr>
<td>Professor Donald Robertson</td>
<td>Legal Regulation of Economic Activity</td>
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<tr>
<td>David Rosenbloom</td>
<td>US International Taxation</td>
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<tr>
<td>Associate Professor Iain Ross</td>
<td>Advanced Employment Law; Workplace Bargaining</td>
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<tr>
<td>Paul Scanlan</td>
<td>Dispute Resolution</td>
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<tr>
<td>Dennis Scott</td>
<td>Debt Financing</td>
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<tr>
<td>Associate Professor Shirley Scott</td>
<td>International Dispute Resolution: Theory and Practice; International Law in World Politics</td>
</tr>
<tr>
<td>Associate Professor Peter Shea</td>
<td>Forensic Psychiatry</td>
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<tr>
<td>Sharnila Shearing</td>
<td>Intellectual Property</td>
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<tr>
<td>Dr Gerry Simpson</td>
<td>Theories of International Law</td>
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<tr>
<td>Michael Skinner</td>
<td>Contracts; Legal Reasoning and the Common Law System</td>
</tr>
<tr>
<td>Johannes Somsen</td>
<td>Genetically Modified Organisms and Environmental Law</td>
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<tr>
<td>Holger Sorensen</td>
<td>Stamp Duties</td>
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<tr>
<td>Associate Professor Cameron Stewart</td>
<td>Information Rights in Health Care</td>
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<tr>
<td>Stephanie Taplin</td>
<td>Contemporary Crime Issues</td>
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<tr>
<td><strong>Laura Thomas</strong></td>
<td>Law, Lawyers and Justice</td>
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<tr>
<td><strong>Geraint Thomas</strong></td>
<td>Equity; International and Comparative Law of Trusts</td>
</tr>
<tr>
<td><strong>Ashley Tacalos</strong></td>
<td>Insurance Law</td>
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<tr>
<td><strong>Michael Virsakis</strong></td>
<td>Taxation of Superannuation</td>
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<tr>
<td><strong>James Watson</strong></td>
<td>Equity</td>
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<tr>
<td><strong>Dr Chris Ward</strong></td>
<td>International Law and Australian Institutions; Public International Law; National Security Law</td>
</tr>
<tr>
<td><strong>Clive Williams</strong></td>
<td>Terrorism and Counterterrorism Policy and Law</td>
</tr>
<tr>
<td><strong>Professor Wang Xi</strong></td>
<td>Sustainable Development Law in China</td>
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<tr>
<td><strong>Professor David Yates</strong></td>
<td>Contract Negotiation</td>
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</tbody>
</table>
The Australian Centre for Climate and Environmental Law (ACCEL)

The Australian Centre for Climate and Environmental Law is located in the Faculty of Law at the University of Sydney. The objectives of the centre are to encourage, promote and support innovative and important scholarship including teaching, research, consultancy and public interest advocacy in all areas of environmental law and policy. These objectives are pursued within the University of Sydney, as well as with the legal profession, other related centres, and the wider community in Australia and overseas.

ACCEL has centres within the Faculty of Law at the University of Sydney, and the Faculty of Law at Australian National University. Both centres support the undergraduate and postgraduate programs in Environmental Law offered through their respective faculties.

ACCEL specialises in environmental law research in the Asia Pacific region. It has close links with environmental research centres at leading Chinese universities, including Wuhan University, Peking University, Tsinghua University, the Chinese Academy of Social Sciences and the China University of Politics and Law. Postgraduate students may undertake a unit of study in China. ACCEL also maintains close links with the Asia Pacific Centre for Environmental Law at the National University of Singapore, the Indonesian Centre for Environmental Law in Jakarta, and the Centre for Environmental Education, Research and Advocacy at the National Law School of India, Bangalore.

For further information about the centre and its activities, see www.law.usyd.edu.au/accel

Australian Network for Japanese Law (ANJeL)

The Australian Network for Japanese Law is an initiative of the law faculties at the Australian National University, the University of New South Wales and the University of Sydney. The core aim of ANJeL is to promote scholarly engagement with Japanese law, especially in Australia.

For further information about the network and its activities, see www.law.usyd.edu.au/anjeel
Centre for Asian and Pacific Law (CAPLUS)

The Centre for Asian and Pacific Law is located at the University of Sydney. It draws on the expertise and experience of the Faculty of Law, and other faculties and institutions within the University that have related interests. It also collaborates with the legal profession, government departments and bodies, professional organisations and institutions with cognate interest.

The Winter School in Shanghai is jointly organised by CAPLUS and the East China University of Politics and Law, Shanghai (ECUPL). The aims of the Winter School are to:

- provide an introduction to the Chinese legal system and Chinese laws
- encourage comparative and jurisprudential studies of specific areas of Chinese law.

It is hoped that the Winter School will stimulate interest in, and analysis of, Chinese community legal styles, attitudes and structures, including traditional and imperial Chinese legal values and processes.

For further information about the centre and its activities, see www.law.usyd.edu.au/caplus

Julius Stone Institute of Jurisprudence

The Julius Stone Institute of Jurisprudence was established in 1999 with the assistance of funds raised from and by the alumni and friends of the Law School, in particular from those who were students of Professor Stone or who had worked with or been influenced by him. The institute recognises, honours and celebrates Stone’s outstanding contribution to legal scholarship. It serves as a focus for theoretical scholarship in Australia, continuing the faculty’s strong leadership in this field.

The institute plays a leading role in the development, dissemination and application of legal theory in Australia and also fosters the international engagement of legal theorists working in Australia. It pursues these objectives by:

- sponsoring lectures, including an annual Julius Stone Lecture in Jurisprudence, as well as seminars, workshops and other similar activities
- supporting visits of distinguished scholars of jurisprudence
- supporting and funding high quality postgraduate study in the field of legal theory
- arranging the publication of papers, reports and other works
- providing information about resources in legal theory.

For further information about the centre and its activities, see www.law.usyd.edu.au/jurisprudence

The Ross Parsons Centre for Commercial, Corporate and Taxation Law

The Ross Parsons Centre was founded to build upon Sydney Law School’s excellence in commercial, corporate and taxation law. The constitution was approved by the Faculty of Law in late 2003 and the centre was launched in 2004. Its objectives are to undertake, promote and support innovative and important scholarship, including teaching, research, consultancy and advocacy in all areas of commercial, corporate and taxation law.

The centre is active in undergraduate and postgraduate courses, conferences and seminars, sponsoring visits from international and Australian academics, encouraging research, and building links with other institutions with similar goals. The centre has various categories of membership open to academics of Sydney Law School and other institutions, and professionals in the public and private sector who contribute to the work of the centre. Firms and institutions can be associated through sponsorship or affiliate arrangements.

For further information about the centre and its activities, see www.law.usyd.edu.au/parsons

Sydney Centre for International and Global Law

The Sydney Centre for International and Global Law was established in 2003 as a centre of excellence in research and teaching in international law. Based in the Faculty of Law at the University of Sydney, the centre aims to provide a fresh focus for international legal research and practice in Australia, and builds upon the faculty’s well-recognised history of research, scholarship and teaching in this area.

The centre was established to pursue several main objectives: to promote excellence in the teaching of international law; to make a major contribution to international legal scholarship; to play a significant advisory role for governments and non-governmental organisations in the Asia Pacific region in matters of international law; and to enhance public awareness of, and interest in, international law.

Over the last two decades we have seen a dramatic increase in the way public international law influences the conduct of states, citizens and corporations. An ever-growing body of international and transnational rules govern activities at the international and domestic levels. More of us than ever before are taking part in the practices and processes of international law. These are significant changes and their impact has accelerated the need for research, for teaching excellence and for independent and comprehensive advice.
The primary focus of the centre is the operation of international law in the region. The centre specialises in teaching, research, consultancy and in promoting public debate on international legal issues. Apart from attracting doctoral students from across the region, the centre is developing a program for visiting fellows. It provides services to governments and non-government organisations here and throughout the Asia Pacific region. It actively seeks out centres of international research excellence elsewhere for purposes of collaboration.

Above all the centre aims to foster links throughout Australia and the Asia Pacific region for those involved in the practice and research of international law.

For further information about the centre and its activities see www.law.usyd.edu.au/scigl

Institute of Criminology (Sydney)

The Institute of Criminology is based in the Faculty of Law at the University of Sydney. Its primary functions are teaching, research, publications and public education. The institute’s objectives are:

• the continued diversification of its public education function, mainly through the provision of its public and professional seminar series, and media commentary
• the ongoing expansion of publishing activities, both within the Institute and joint ventures
• the further review and improvement of its teaching commitment and delivery
• the creation of a research network which will complement the state and national needs of the public and private sector, as well as a wide range of community interests.

The institute is actively involved in issues of public importance, providing information and a forum for debate through its seminar series, organising conferences, carrying out and publishing research, and media commentary.

Staff associated with the institute pursue a wide range of research interests, including Indigenous people and the criminal justice system, juvenile justice, policing, violence against women, the jury system, feminist and critical criminology, child abuse, hate crime, drug policy and comparative criminology. Many staff members have worked as consultants for government departments, statutory authorities and royal commissions. The institute has an Advisory Committee chaired by the Chief Justice of NSW and a Management Committee chaired by the Dean of the Faculty of Law.

One of the significant daily functions of the institute is to act as a point of contact for media, researchers, and criminal justice professionals with specific information needs.

For further information about the institute and its activities, see www.criminology.law.usyd.edu.au
Sydney Law School publications

Asia Pacific Journal of Environmental Law (APJEL)
The Asia Pacific Journal of Environmental Law (APJEL) was relaunched in 2004 and is published quarterly by the Australian Centre for Climate and Environmental Law (ACCEL).

Contributions and correspondence should be addressed to:
Australian Centre for Climate and Environmental Law (ACCEL)
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Faculty of Law Building, F10
The University of Sydney
NSW 2006 Australia
Phone: +61 2 9351 0274
+61 2 9351 0205
+61 2 9351 0324
Fax: +61 2 9351 0200
Email: Law.Accel@usyd.edu.au
Website: www.law.usyd.edu.au/accel

Australian International Law Journal
Since 1995 this publication has achieved full stature as a journal of international standing. Its Editorial Advisory Board comprises members who are eminent international lawyers in international law drawn from all over the world. From 2007, the journal has been peer-refereed and is published jointly with the Sydney Centre for International Law at the Faculty of Law.

Contributions and correspondence should be addressed to:
The Editor
Australian International Law Journal
Sydney Centre for International Law
Faculty of Law Building, F10
The University of Sydney
NSW 2006 Australia
Email: law.scil@usyd.edu.au
Website: www.law.usyd.edu.au/scil
Sydney Law School Research Report

Current Issues in Criminal Justice

The Institute of Criminology publishes this inter-disciplinary, peer-reviewed journal, which canvasses leading articles written by academics, practitioners, students and professionals in related areas. There are also contemporary comments, book reviews and news of upcoming events in the field. The journal is published three times per year.

Contributions and correspondence should be addressed to:

The Administrator
Institute of Criminology
Sydney Law School
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## Research in progress

**External competitive grants**

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A comparative analysis of Canadian and Australian legislative responses to reproductive genetics, women’s rights and disability
Canadian Studies Program (Faculty Research Program)

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The World Trade Organization and Human Rights
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Lifestyle Wars: Law’s role in responding to the challenges of non-communicable diseases
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GST and the Global Economy: Identifying the underlying causes of consumption tax conflicts affecting cross-border trade
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Traction or ‘Turbulence’ in Japanese Regulatory Style? An empirical analysis of Japanese commercial law reform since the 1990s
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Family Law and the Indissolubility of Parenthood
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Relocation after parental separation and the best interests of children
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Shackel, R

Understanding Prosecutorial Decision-Making in Child Sexual Assault Cases
Law & Justice Foundation of NSW

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The early Australian legal system and its response to Aboriginal law and culture
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University and Faculty of Law grants

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Teaching Critical Criminology – an Australasian Perspective
Conference Seeding Grant

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Developments in Australasian criminological thought – Research to prepare an edited reader on Australasian Critical Criminology
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The Australian Takeovers Panel: An empirical evaluation of its first five years
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Authored research books


Edited books


Cook, K, Daly, K & Stubbs, J (eds), Theoretical Criminology (Special Issue: Gender, Race and Restorative Justice, 10(1)), Sage: London (2006)


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Aitken, L, ‘Valuing the Shares of the minority Shareholder’ (2006) 8 Australian Corporate News 93-95


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Anthony, T, ‘Reconciliation and Conciliation: The Irreconcilable Dilemma of the Equal Wage Case for Aboriginal Station Workers’, presented at the Labour History Symposium: Working Life, Enterprise and Arbitration, the University of Sydney, 10 November 2006
Anthony, T, ‘Evidence in Native Title Cases and the History Wars’, presented at the SUPRA Postgraduate Conference, the University of Sydney, 28 September 2006


Astor, H, ‘Designing Systems for Managing Conflict in Large Organisations’, presented at the Dispute Resolution Symposium, Griffith University, November 2006


Austin, R, ‘Legal Standard of Loyalty and Professional Guidelines’, presented at the Insolvency Practitioners Association of Australia Annual Conference; Without Fear or Favour, Brisbane, 12–13 October 2006


Bennett, B, ‘Regulating Rights in a Posthuman World: Law, Ethics and Medical Science’, presented at the Willis Cunningham Memorial Lecture, Faculty of Law, Queen’s University Canada, 9 January 2006


Bennett, B, ‘Regulating Small Things: Genes, Gametes and Nanotechnology’, presented at Regulating the Scientific Frontier, the 2nd Annual Conference of the Centre for Health Governance, Law & Ethics, the University of Sydney, 24 November 2006


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Wangmann, J, ‘It’s Not New but it’s SMART: The development of a police and civilian crisis intervention domestic violence project for the Sutherland Shire’ presented at the Women’s Domestic Violence Court Assistance Scheme Program 2006 Annual Conference, Sydney, 3 August 2006

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<td>Kinley, D</td>
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<td>'Engaging a Pariah: Human Rights Training in Burma/Myanmar'</td>
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<td>Lyster, R</td>
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<td>Mayhew, C &amp; Chappell, D</td>
<td>'Workplace Violence Risk for Health Care Workers'</td>
<td><em>(2007) 23(2) Journal of Occupational Health and Safety – Australia and New Zealand 153-160</em></td>
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<td>McCallum, R</td>
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Anthony, T, 'History Wars and Implications for Native Title' (2007) 11(1) Supra Express – A Publication for Postgraduates 16-17


Butt, P, 'Conveyancing and Property (Whose use?; Strata title by-laws; “Unsigned” email not sufficient for Statute of Frauds; The importance of punctuation; Every word counts – unless it is mere puff?!)’ (2007) 81(1) Australian Law Journal 11-14

Butt, P, ‘Conveyancing and Property (No extension of caveat where no money secured by charge; Compliance with formal requirements)’ (2007) 81(3) Australian Law Journal 152-154


Butt, P, ‘Conveyancing and Property (Landlord unable to claim “further rent” payable under the lease; Successive leases for 5-year terms; Damages for breach of covenant against altering premises without Landlord’s consent; The vulnerability of unregistered Torre’ (2007) 81(10) Australian Law Journal 783-786


Butt, P, ‘Conveyancing and Property (Easement to park in garage; Adding properties to an easement; Indefeasibility for what?)’ (2007) 81(12) Australian Law Journal 914-917


Freckelton, I, ‘Regulation of Health Practitioners: Opportunities and Developments for Plaintiffs’ (2007) 79 Precedent 29-34


Saul, B, ‘From the Guest Editor: Building the Law on Genocide’ (2007) 9(2) Journal of Genocide Research (Special Issue: Genocide and International Law) 173-175


Published conference papers


Other conference presentations


Anthony, T, ‘Stolen wages: the long wait for Northern Territory Indigenous workers’, presented at the Koori Centre Lectures, the University of Sydney, 10 August 2007


**Bennett, B**, ‘Regulatory Frameworks for Health Research: Are They Relevant for Gender Equality?’, presented at the National Health and Medical Research Council (NHMRC) National Research Ethics Conference, Melbourne, 17–18 October 2007


**Beverley, P**, ‘Legal aspects of commercial concessions on public conservation land’, presented at the Department of Conservation, New Zealand conference Conserv-Vision: the Next 50 Years, University of Waikato, New Zealand, 4–7 July 2007


**Bikundo, E**, ‘Systems Theory and a Possible Methodology of Judicial Discourse in Marshalling, Interpreting and Construing Aggression Clauses’, presented at the Joint Annual Meeting of the Law and Society Association (LSA) and the Research Committee on Sociology of Law (RCSL of ISA), Humboldt University, Berlin, July 25–28 2007


**Burns, F**, ‘Prescriptive Easements’, presented at the Faculty of Law Luncheon Seminar, Sydney, 17 May 2007


**Burns, L**, ‘History and Policy of Australia’s Anti-deferral Regime’, presented at the Board of Taxation’s consultations in Sydney on 18 June 2007 and in Melbourne on 20 June 2007

Carney, T, ‘Closing Address’, presented at the Australian Guardianship and Administration Committee Conference, Melbourne, 23 March 2007


Carney, T, ‘Highs and Lows of Electronic Research’, presented at the Faculty of Law Postgraduate Law Students Conference 2007, the University of Sydney, 23–24 November 2007


Chappell, D, ‘Regulating and Monitoring the Interception of Communications: Examining National and Regional Developments’, presented at the 20th annual ANZ Society of Criminology conference – Building bridges, Adelaide, South Australia, 23–26 September 2007


Crock, M, ‘Refugees and Human Rights’, presented at the Summer program, Centre for Peace and Conflict Studies, the University of Sydney, 22 March 2007


Crock, M, ‘Mental and physical health problems among detained adult and child asylum seekers and refugees before, during and after detention’, presented at the Manning Clark – Weekend of Ideas – A Fair Go for Refugees? Dispossession, dislocation, discrimination, resolution, Canberra, 31 March to 1 April 2007


Crock, M, ‘Refugees and Human Rights’, presented at the Law Institute of Victoria, Administrative Law & Human Rights Section conference, LaTrobe University, Melbourne, 12 September 2007

Crock, M, United Nations High Commissioner for Refugees Invited Round Table for Refugee Law Academics, Canberra, 26 October 2007


Graycar, R, ‘Gender, Race, Bias and Perspective OR How Otherness Colours Your Judgment’, presented at the Julius Stone Institute of Jurisprudence conference, Faculty of Law, the University of Sydney, 5–7 July 2007


Hill, J, ‘Shareholders versus Managers: News Corp’s Exodus to Delaware and Other Antipodean Tales’, presented at the Emory University Law School workshop, Atlanta, USA, April 2007

Hill, J, Invited participant at the ANU College of Law Hartnell Colloquium Avoiding Conflict of Interest in Commercial Settings, Canberra, 6 July 2007

Hill, J, ‘The Shifting Balance of Power Between Shareholders and Management; Comparative Corporate Governance Perspectives’, presented at the TC Beirne School of Law, University of Queensland workshop, Brisbane, September 2007


Karpin, I, ‘Uncanny Embryos Revisited after the Patterson Bill’, York Institute for Health Research Invited Speaker Series, Toronto, Canada, 18 January 2007
Kumar, M, ‘Evidence lecture for Bar examinations’, presented at the NSW Bar Association, Sydney, 29 June 2007
Kumar, M, ‘Hearsay’, presented at the Legal Aid Commission Criminal Law Conference, 2 August 2007
Kumar, M, ‘Complaint Evidence – Intersection of Credit and Hearsay Rules’, presented at the Faculty of Law Postgraduate Law Students Conference, the University of Sydney, 24 November 2007
Leeming, M, Commentary on ‘Some Reflections on Pacific Brands Sport and Leisure Pty Ltd v Underworks Pty Ltd’, presented at the CLA in conjunction with the Parsons Centre Current issues in contract law, NSW State Library, 27 July 2007


McCrystal, S, ‘“No Holds Barred ... Within Limits”: Industrial Action as a Bargaining Tactic and Genuine Agreement Making’, presented at the Australian Employment Law Summit – Workplace agreements and contracts under a new regime, Sydney, October 30 to November 1, 2007


McDonald, B, ‘Causation in Medical Assessments’, presented at the Motor Accident Authority Medical Assessors’ Conference, Sydney, October 2007

McDonald, B, ‘“Personal Responsibility” or No Responsibility – Tort Reform in Australia’, presented at the University of Technology, Sydney, Faculty of Law Research Seminar Series, Sydney, 23 October 2007

McDonald, B, ‘Proportionate Liability’, presented at the University of New South Wales Law Faculty CLE Conference on Professional Liability, Sydney, 4 December 2007


Nottage, L, Panel presentation at Beyond Borders in the Classroom: The Possibility of Transnational Legal Education, Ritsumeikan Law School, Kyoto, 10 February 2007


Nottage, L, ‘Comparing the Regulatory Mix for Consumer Credit in Japan, Australia and Beyond’, presented at the International Association of Consumer Law, Second Consumer Law Roundtable, Griffith University, Brisbane, 4 December 2007


Preston, BJ, ‘Conciliation in the Land and Environment Court of NSW: History, Nature and Benefit’, presented at the ACDC Training Program for members of the Land and Environment Court of NSW on s.34 Conferences in the Land and Environment Court, Intercontinental Hotel, Sydney, 3 August 2007


Preston, BJ, ‘Keynote speech: The Land and Environment Court of New South Wales: Moving Towards a Multi-Door Courthouse’, presented at the LEADR NSW Chapter Annual Dinner, Sydney, 15 November 2007

Rolph, D, ‘Privacy Protection in Australia and the United Kingdom: Current Developments and Future Directions’, presented at the Faculty of Law, University of Technology, Sydney Research Seminar, Sydney, 30 October 2007

Sadurski, W, ‘Two Concepts of Equality’, presented at the Julius Stone Institute of Jurisprudence Julius Stone Centenary Conference, Faculty of Law, the University of Sydney, 5–7 July 2007


Saul, B, ‘Complementarity or Collision of Overlapping Legal Regimes: The Impact of Human Rights Law and Security Council Measures on the Law of Occupation’, presented at the International Committee of the Red Cross, Minerva Centre for Human Rights (Hebrew University) and Konrad Adenauer Stiftung conference Forty Years after 1967: Reappraising the Role and Limits of the Legal Discourse on Occupation in the Israeli-Palestinian Context, Tel Aviv and Jerusalem, 5–7 June 2007


Saul, B, ‘David Hicks and International Law’, presented at the NSW Young Lawyers and Australian Lawyers for Human Rights CLE Seminar, Sydney, 22 August 2007


Saul, B, ‘Reasserting Russian Power in an American Century: Threatened or Threatening?’, presented at Sydney Summit on Russia, Park Hyatt Hotel, Sydney, 4 September 2007


Saul, B, ‘Voicing Dissent: Anti-Terrorism Laws and Freedom of Expression’, presented at the University of Western Sydney and Association of Children’s Welfare Agencies/Centre for Community Welfare Training Graduate Diploma of Social Sciences (Community Services), Sydney, 19 November 2007


Saul, B, ‘Contemporary Challenges in International Humanitarian Law’, presented at the Society of International Law and Politics and International Committee of the Red Cross Workshop, National University of Juridical Sciences, Kolkata, 10 December 2007

Shearer, I, ‘The relationship between international law and international relations’, presented at the Access Young Members Group of the Australian Institute of International Affairs, UNSW, Sydney, 18 April 2007


Smith, B, ‘Anti-Discrimination Act 30 Years On – where to from here?’, presented at the 30th Anniversary of the NSW Anti-Discrimination Act Forum, the University of Sydney, 30 October 2007


Stephens, T, ‘Parallel Tracks for Action Against Japan over JARPAII’, presented at the International Law Association (Australian Branch) and Sydney Centre for International and Global Law conference Current Developments in International Whaling, the University of Sydney, Faculty of Law, 10 August 2007


Stubbs, J, ‘Beyond Apology? Domestic Violence and Critical Questions for Restorative Justice’, presented at the Department of Sociology and Social Policy, the University of Sydney Seminar, 13 August 2007
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<td>27 July 2007</td>
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<tr>
<td>Triggs, G</td>
<td>‘In Conversation with Gillian Triggs …’, Christopher Roper of the</td>
<td>St James’ Institute talks with Gillian Triggs about her work and the Sydney Law School, St</td>
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<td>James Church, Sydney</td>
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<td>Twomey, A</td>
<td>‘The Decolonisation of the Australian States’, presented at the</td>
<td>Centre for Comparative Law, History and Governance conference State Creation and Nationalism,</td>
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<td>Macquarie University, 9–10 March 2007</td>
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<td>Twomey, A</td>
<td>‘The Involvement of Sub-national Entities in Direct and Indirect</td>
<td>Constitutionalists VII World Congress of the International Association of Constitutional Law: Rethinking the Boundaries of Constitutional Law, Athens, 11–15 June 2007</td>
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<td>Constitutional Amendment within Federations’, presented at the</td>
<td>Macquarie University</td>
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<td>Twomey, A</td>
<td>‘Australian Federalism – Options for Reform’, presented at the</td>
<td>Department of Employment and Industrial Relations, Australia’s State and Territory Governments</td>
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<td>Department of Employment and Industrial Relations, Australia’s</td>
<td>National Industrial Relations Conference – Restoring the balance, Brisbane, 11 September 2007</td>
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<td>State and Territory Governments</td>
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<td>Sovereignty’, presented at the conference</td>
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<td>Twomey, A</td>
<td>‘Federalism and the use of cooperative mechanisms to improve</td>
<td>Australian Association of Constitutional Law, Constitutional Centre of WA and John Curtin</td>
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<td>infrastructure provision in Australia’, presented at the</td>
<td>Institute of Public Policy conference Law making for a small federation – national</td>
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<td>Australian Association of Constitutional Law, Constitutional</td>
<td>infrastructure and regulation, Constitutional Centre of Western Australia, Perth, 8</td>
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<td>Centre of WA and John Curtin Institute of Public Policy conference</td>
<td>December 2007</td>
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<td>Vann, R</td>
<td>‘Seminar Presentation: A UK Exemption System’, presented at the</td>
<td>Centre of Tax Law, day-long seminar, University of Cambridge, 12 October 2007</td>
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<td>Watson, I</td>
<td>‘Law-full woman: an exploration of the self–determination of</td>
<td>Keele University Centre LGS Members Events Seminar, University of Keele, 22 November 2007</td>
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<td>Aboriginal women’s laws and lives, their colonisation and the</td>
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<td>possibilities for decolonisation’, presented as a seminar paper,</td>
<td>University of Kent, UK, 15 November 2007</td>
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<td>Watson, I</td>
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<td>Aboriginal women’s laws and lives, their colonisation and the</td>
<td>University of Westminster, London, 21 November 2007</td>
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<td>Williams, B</td>
<td>‘The Falconer Draft Text for the WTO Doha Round Negotiations on</td>
<td>International and Global Law Seminar, the University of Sydney, 22 November 2007</td>
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<td>Agriculture – A “Ha’porth of Tar” to Keep the Ship from Sinking or Just a Dab of Paint on an Irreparably Broken Hull’, presented at the Sydney Centre for International and Global Law Seminar, the University of Sydney, 22 November 2007</td>
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<tr>
<td>Ziegert, KA</td>
<td>‘ Reflexive Cannibalism: A Comment on the Reproductive Use of</td>
<td>University of Adelaide, 30 November 2007</td>
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<td></td>
<td>Sociological Theory on the Legal Construction of Traditional</td>
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<td>Knowledge Protection’, presented at the i-call (International</td>
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<td>Communications and Art Law Lucerne) conference Traditional Cultural Expression in a Digital Environment, Lucerne, Switzerland, 8–9 June 2007</td>
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Ziegert, KA, ‘The Rule of Law as the Key for Effective Governance: The Dilemma of Postcommunist and Postcolonial Societies’, presented at the Julius Stone Centenary Conference, Faculty of Law, the University of Sydney, 5–7 July 2007


Ziegert, KA, ‘Law and Development in China and Viet Nam: Towards a Rule of Law Index for Socialist Law in the PR China and Viet Nam’, presented at a conference co-organised by the Centre for Comparative Law and Development Studies in Asia and the Pacific (CLDSAP), University of Wollongong and the Asian Law Centre (ALC) Approaches to Law and Development in the Asia Pacific Region, Wollongong, 17–18 September 2007

Ziegert, KA, ‘Weltgesellschaft im Wandel: Globale Wege, Verbindungen und Vergleiche (The changing world society: global routes, connections and comparisons)’, presented at the University of Lucerne and the University Witten/Herdecke conference Niklas Luhmann’s ‘Die Gesellschaft der Gesellschaft’: Ten Years After, Lucerne, Switzerland, 7–8 December 2007
Theses awarded in 2006

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<th>Student</th>
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<td>Susan Maree Armstrong</td>
<td>Women’s Legal Services and Family Law Reform</td>
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<td>Roslyn Kay Baxter</td>
<td>Frail Citizenship: Re-forming the Rights of the Poor</td>
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<td>Bernadette Carmel Boss</td>
<td>Law and Peace: A Legal Framework for United Nations Peacekeeping</td>
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<td>The Legal Protection of Reputation and the Tests for What is Defamatory</td>
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<td>Rita Laura Shackel</td>
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<td>Ivana Zovko</td>
<td>Liability, Accountability and Redress in International Law: Vessel-sourced Pollution in the Southern Ocean</td>
<td>Rothwell, D</td>
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# Theses awarded in 2007

## Doctor of Philosophy

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<tr>
<td>Surya Deva</td>
<td>Violation of Human Rights by Multinational Corporations: An Integrated Theory of Regulation</td>
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<td>Eliza Karolina Mik</td>
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<td>Geoffrey Andrew Nicoll</td>
<td>Empowering Australian Superannuation Funds and Investment Managers as Major Corporate Shareholders</td>
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<td>Francesca Panzironi</td>
<td>Indigenous People’s Right to Self-Determination and Development Policy</td>
<td>Cunneen, C</td>
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<td>Alpana Roy</td>
<td>A Postcolonial Analysis of Intellectual Property Law</td>
<td>Cunneen, C, Riley, R &amp; Loughlan, P</td>
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<td>Vicki Catherine Waye</td>
<td>Market for Legal Claims</td>
<td>McCallum, R &amp; Fridman, S</td>
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## Master of Law by Research

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<td>Mia Dambach</td>
<td>Shifting paradigms within the juvenile justice system. An examination of the changes towards more punitive policy and practice in the NSW Justice System between 1995 to 2005</td>
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### Postgraduate research in progress

**Doctor of Philosophy**

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<td>Australia’s Right to Water and the Private Sector: Can Australia Protect its Citizens Right to Water?</td>
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<tr>
<td>Paul Beverley</td>
<td>A Critical Analysis of Biodiversity Law in New Zealand</td>
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<td>Cosmetic Surgery and the Law of Negligence: An Infectious Passion for Beauty?</td>
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<td>Building an Integrated Model for Effective Family Dispute ADR in Bangladesh: A Possible In-Court-Out-Court Linkage</td>
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<td>Eric Coonan</td>
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<td>Jesse Cunningham</td>
<td>The Social (De)construction of Punishment: Towards a System Theoretical Rationale for Law’s Education</td>
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<td>International Conflict related Environmental Claims – A Critical Analysis of the UN Compensation Commission Experience</td>
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<td>A New Theory of Neutrality in Mediation Based on Ethics</td>
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<td>Paul Folino-Gallo</td>
<td>Cleaning Out Her Majesty’s Dustbins: Juvenile Drug Sanctioning Policy in Australia</td>
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<td>Katrina George</td>
<td>Autonomy at the Death Bed: The Impact of Euthanasia and Assisted Suicide on Patient Autonomy</td>
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<td>The Need to Reform Australian Finance and Dispute Resolution Laws to Alleviate Legal Risk Arising from Cross Border Finance Transactions – A Comparative Analysis of Australian, US and Chinese Laws That Apply to Cross Border Shipping and Aircraft Finance Transactions</td>
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<td>A New Theory of Public Law Delivery in Governance Networks Based on Function Systems Science</td>
<td>Ziegert, A &amp; Birch, C</td>
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<td>Richard Kocsis</td>
<td>An Empirical Examination of Crime Scene Behaviours and Offender Characteristics in Kidnapping for Ransom Crime</td>
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<td>The Status of Islamic Family Law Amongst the Muslim Community in NSW</td>
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<td>Amanda MacDonald</td>
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