

April 2004

newsletter

our Alumni COMMUNITY



The Sydney Law school reports



Professor Ron McCallum

Report from the Dean

New Chairs

Welcome readers to 2004 – a year that is shaping up to be an eventful and busy one for the Law School. In the last edition of 2003 we reported on the fact that the Law School had received funding for a new Chair in Constitutional law – and I am happy to announce that Professor George Winterton, previously from the University of New South Wales, has accepted this appointment. I am also pleased to announce that two other full professorships have been advertised, and at the time of writing the selection processes are being finalised. The Challis Chair in International Law is being filled because the previous incumbent Professor Ivan Shearer retired at the close of last year (see in this edition for a summary of Professor Shearer's distinguished tenure in this Chair). The second continuing chair is the inaugural professorship in Human Rights Law, and when filled this will be the first named chair in human rights law in Australia.

Commercial law Chair sponsorship

In our last edition we announced the most generous sponsorship by Mr Bruce McWilliam of a visiting Chair in Commercial law. I am pleased to announce that our first visiting professor will be Professor Woody Hunter. Professor Hunter was the Dean of the Law School at Emory University in the US for 11 years until recently and is very well known and respected in international commercial circles. We look forward to Professor Hunter's tenure this year.

Our Alumni Dinner and 2005 Sesquicentenary

As was announced in the last edition of the Sydney Law School Reports, on Friday 28 November we held our Alumni Dinner titled "Across the Years". I have had a great deal of feedback from many who have attended on the evening and by all accounts it was a great night (a verdict with which I wholeheartedly agree!) I trust this will be the first of many such events we hold with our alumni over the coming years. The Faculty of Law at Sydney University came into existence "technically" in 1855 (although it was not "actively operational

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FACULTY EVENTS

CLAYTON UTZ/SYDNEY UNIVERSITY
INTERNATIONAL ARBITRATION
LECTURE 2003

The Clayton Utz/Sydney University International Arbitration Lecture is an annual lecture for the promotion of the study of international arbitration and international dispute resolution, in particular in Australasia and the Asia-Pacific.

The Clayton Utz/Sydney University International Arbitration Lecture was held on September 11, 2003 and was given by Dr Fali S. Nariman who is one of the world's most distinguished international lawyers and jurists as well as being a leading figure in international arbitration both as a practitioner and arbitrator.

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The University of Sydney

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REPORT *from* the Dean

sydney law school



2005 will mark the Sesquicentenary of our law school and special events are planned throughout next year to celebrate our 150 years of existence. Announcements will be made in the October issue of the newsletter of activities and dates to look out for.

Dean's report from page 1

until 1859) so 2005 will "technically" (surely a fine point for lawyers) be the 150th anniversary of our founding – our sesquicentenary!

Given the monumental nature of this event 2005 will be a big year for us. We are beginning the planning now for a number of events in 2005 to celebrate our founding – check our website regularly for updates.

Another great intake

Again in 2004, the Law School has shown itself to be the finest in the country with high demand maintaining our entry requirements for recent school leavers as by far the highest in the country – not only higher than any other Law school, but higher than any other course. To some extent it is disappointing that we can only offer a limited number of places to potential students, but those who do achieve the quite remarkable scores required for entry can be assured that they are achieving what is an outstanding education (in the fullest sense of that word) in the law that this country can offer. On behalf of all readers of the Law School Reports I wish this year's intake the very best for their time with us.

Ron McCallum

Faculty events



L to R: Professor David Harland and Luke Nottage of Sydney Law School next to Dr. Fali S. Nariman and his wife and Professor Ivan Shearer of Sydney Law School

Continued from previous page

His eminence in the field of law is such that in 1995 the International Bar Association (IBA) named him as a "Living Legend of the Law".

The title of Dr Nariman's Lecture, held in the Banco Court, was "East meets West: Tradition, Globalisation and the Future of Arbitration". The lecture will be published in the next issue of Arbitration International, a leading law journal in this fascinating area of law experiencing strong growth in the Asia-Pacific region.

Reunions

50 year *reunion* 1953 a vintage year

The 50 year reunion attendees >>
outside the Quadrangle



ON 14 November 2003 a reunion was held in the Holme and Sutherland Rooms within the University of Sydney Union to celebrate the Golden Jubilee of those who graduated in the year 1953.



Seventy four students graduated in that year (of whom only three were women) and of those, 26 attended the function, enjoying not only one another's company, but also a very pleasant lunch which was provided by the Functions and Entertainment Arm of the University Union.

The occasional address was given by Acting Justice Michael Foster of the New South Wales Supreme Court. In a very witty and entertaining address, Michael highlighted the excellent lecturers which the graduates benefited from during their years at the Law School and recorded some of the humorous events which took place from time to time. In addition, reference was made to some of the more colourful students who graced this year of 1953 and their antics.

As was pointed out by Neville Head in his introduction to the day's proceedings, the year 1953 included a number of students who later were appointed to the Bench including: Michael Foster to the Federal Court of Australia; Eric Baker and Adrian Cook to the Family Court of Australia; Jim Staples to the Conciliation and Arbitration Commission (Commonwealth); Bill Fisher to the Industrial Relations Commission of NSW; Phillip Powell to the Supreme

Court of NSW; Clem Mitchelmore and John Holt to the District Court of NSW; Warren Nichol to the Local Court (ACT); John Parnell to the Local Court (NSW).

It was noted, in addition, that Philip Jeffrey had unfortunately died shortly after his appointment as a Judge of the Supreme Court of New South Wales, whilst Geoffrey Kolts became a Parliamentary Draftsman and Alan Renouf a Permanent Head of the Department of Foreign Affairs.

Many of the graduates went on to become leading Barristers and Solicitors whilst others entered the commercial world with appointment as legal Counsel for multi national companies. Indeed there were some who abandoned the law altogether including several who ultimately became successful farmers and graziers. Such was the camaraderie which existed between those attending the luncheon that it extended well into the afternoon, with the participants seemingly reluctant to leave.

At the conclusion of the proceedings, a unanimous vote was taken that a further reunion be held with the proviso that it be in the not too distant future!



<< Nick Farr-Jones



Dinner

Across the Year's

for Sydney Law School

Some of the University of Sydney's most distinguished law graduates gathered at the first all-years reunion dinner for alumni of Sydney Law School on Friday, November 28.

Guests included the Hon. Gough E. Whitlam AC, QC, the Hon. Murray Gleeson AC, Chief Justice of the High Court, and the Hon. Jim Spigelman AC, Chief Justice of New South Wales, Lord Mayor of Sydney, Lucy Turnbull, Rhodes scholars Malcolm Turnbull, Michael Izzo, and former Wallaby Captain Nick Farr-Jones.

400 alumni ranging from the graduating class of 1943 to 2002 attended the black tie gala dinner which was held in the newly refurbished ballroom of the Wentworth Hotel. Also present were university medallists, members of our most successful Jessup teams, graduates who have turned merchant bankers, musicians, and journalists, as well as far-travelled alumni such as Professor David Partlett, alumnus and Dean of the Law School at Washington and Lee University in Lexington, Virginia, Melissa Hardee, head of the UK chapter of Sydney University alumni who travelled from London for the occasion and Wolfgang Spika, a graduate of the Faculty's LLM program run jointly with the Friedrich Schiller University Jena, Germany, who travelled especially from Munich. The most senior graduates on the evening were The Honourable Jack Lee, graduate of 1943, who



<< The 2003 Law Revue entertain the crowd



^ L to R: The Lord Mayoress Lucy Turnbull, The Hon. Justice Murray Gleeson, Chief Justice of Australia, Margaret Cameron

√ Peter Cameron, MC for the evening



attended with his wife as did Mr Evan Lewis from the graduating class of 1944.

Prime Minister John Howard sent his apologies due to a previous commitment. We also received many apologies including from Alwyn Samuel of the class of '46-47, Alan Sperling from Toronto, former Professor Roy Woodman, and from Keith Williams on behalf of a number of the class of '36: The Hon Rae Else Mitchell, the Hon Jack Nagle, Mr Ken Gee and Mr Marcel Pile, Bill Conway, John Inglis, Jack People, and Gordon Scott.

It was a most enjoyable and relaxed evening with an emphasis on entertainment by past and present students. Three recent high-profile graduates of the Sydney Law School – Craig Reucassel, Julian Morrow and Dominic Knight from ABC TV's *CNN* and *The Chaser* newspaper– delivered a fast and funny run-down on the students, lecturers and graduates of Sydney Law School. The program also featured skits from the 2003 Sydney University Law Revue, including a musical take-off called "Sitting in

Guantanamo Bay" (to the tune of "Sitting on the Dock of the Bay"); "Beer Crimes", a series of fast and furious alcoholic puns set in court and lastly "McLaw", 'take-away' law. The Chair of the Faculty of Law Advisory Board Mr Peter Cameron and the Dean of the Faculty of Law, Professor Ron McCallum welcomed the guests. Professor McCallum said the grand reunion dinner was an opportunity to celebrate the success and achievements of alumni and re-acquaint them with developments at their alma mater.

One of the most exciting developments is the planned move of the Sydney Law School from Phillip Street to a new purpose-built complex on the main campus. The models and visual displays of the six finalists in the International Design Competition for the new Law School building were displayed at the dinner. The winning architectural design, announced on December 3, was by FJMT, Francis Jones Morehen Thorp. (More details of the winning design can be seen at <http://www.usyd.edu.au/fmo/campus2010/eoi/02.htm>)

"This is the first time a lavish event on this scale has been organized for our alumni," Prof. McCallum said on the evening. "It is an historic opportunity to

catch up with old friends and lecturers and reminisce about student days. We thank you all for your support in attending tonight".

Many thanks to all those who have written to us complimenting us on the evening.

Enquiries are already being received about the next alumni reunion dinner from people wanting to ensure they are on our mailing list. We will post confirmation on the website but anticipate the next all-years dinner will be in 2005 to mark the Law School's 150 year anniversary. To make 2005 a great success, we need help in building up our archive collection: if you have photos of your year or your fellow students or other memorabilia, don't assume we have copies! Please contact Louise Pierce on 9351 0327 or louisep@law.usyd.edu.au with details and she will arrange to borrow them or obtain copies.



^ L to R: Rob Hirst of Midnight Oil and Tony McMinn

Melissa Hardee, head of the UK alumni chapter who presented a prize on the evening >>



<< Craig Reucassel of the ABC show *CNN* and his wife Keisha. Craig and Julian Morrow entertained the crowd with a fast and funny expose on Law School students, lecturers and graduates



<< Viva Hammer

ALUMNI NOTES

Sophie McGrath (B.Com 1998, LLB 1999) "After graduating in 1998 I spent a year in Canberra working as an associate to the then Chief Justice Miles of the Supreme Court of the ACT. In 2000 I took up a graduate position in the Corporate department of the Sydney office of Coudert Brothers, a US law firm. In late 2002 I was accepted as the first Australian to the International Bar Association's intern programme. I spent 3 months working with the Human Rights arm of the IBA in London. Since that time I have remained in London and am currently working for a niche corporate firm called Goldberg Linde, which is based in the City of London. My work email is smcgrath@goldberglinde.com."

Two graduands, **Roslyn Moloney** and **Susan Jones** (graduating in May 2004) will soon start internships with the International Criminal Tribunal for the Former Yugoslavia in The Hague.

Roslyn writes: "My internship is with the International Criminal Tribunal for the former Yugoslavia, based in the Hague. I will be working in Trial Chamber II, starting on 20 April and finishing at the end of July. From what I understand I'll be doing legal research as well as various administrative duties. Susan Jones, another ex-Sydney University law student, is also starting there shortly as an intern."

Viva Hammer (B.Ec 1988, LLB 1990) is an advisor to the Assistant Secretary for Tax Policy at the US Department of the Treasury, focusing on the taxation of financial institutions and products. Prior to joining the Treasury, she led the Financial Products Tax Consulting practice in New York for PricewaterhouseCoopers. She has also practiced in the area of U.S. International Taxation.

Viva is married and has two children, and lives in Silver Spring, MD.

Dennis Ronzani (BA 1973, LLB 1976) is with Windeyer Chambers in Macquarie Street.

Lucy Robb, graduand, who recently finished her exchange at Utrecht

University, has been employed as a Legal Assistant with the Defence Team for Momcilo Krajisnik.

Krajisnik, whose trial started last week, was the senior aide to Radovan Karadzic, a Speaker of the Parliament of the Bosnian Serb Republic (Republika Srpska) and the top Bosnian Serb official at the Dayton peace negotiations in November 1995. As the former co-president of Bosnia-Herzegovina, he is the highest ranking person indicted for war crimes in the former Yugoslavia after Slobodan Milosevic.

The Defence Team also includes alumna **Chrissa Loukas** (LLB 1985) a barrister with the NSW Public Defender's Office.

Mr. Gordon Hawkins, internationally renowned criminologist and former Director of the Sydney University Institute of Criminology, died in Sydney on Sunday the 29th of February 2004. Assoc. Professor Hawkins taught in the Faculty of Law from 1961 until 1984 and was primarily responsible for establishing criminology as a significant discipline within this law school. He had an enormous international reputation as a comparative criminologist. He was a prolific writer and his book 'The Honest Politicians' Guide to Crime Control', co-authored with Norval Morris, is a classic in the field. In 1991 he was honoured by the American Society of Criminology with the award of the Sellin-Glueck prize in recognition of his contribution to criminology internationally.

Gordon's standing and expertise saw him involved in a vast range of government consultations particularly in the areas of prison reform. He was the first of our public scholars in fields such as criminology and criminal justice having a successful presence for many years in the Australian Newspaper both as a columnist and a reviewer. He also wrote the script for the ABC TV program 'Beyond Reasonable Doubt'. Gordon is remembered by colleagues and former students for his tremendous scholarly contribution but also for his charm and wit.

Australia Day Honours List 2004

1975

(LLB) The Hon. Justice Ruth S McColl, AO, service to law, continuing professional development and education for women and to community in matters affecting indigenous groups and youth.

1966

(LLB) The Hon. Justice Reginald O Blanch, QC, AM, service to the judiciary and to the administration of civil and criminal justice systems in NSW.

1973

(LLB) The Hon. Peter E J Collins, RFD, QC, AM, service to the advancement of the arts, to the improvement of public health facilities and NSW parliament.

1957

(LLB, LLM 1975) Mr. Rodney I Rosenblum AM, service to the development and reform of revenue law and the community particularly through AUSTCARE and Jewishcare.

1963

(LLB, LLM 1973) Mr. Ross Tzannes AM, service to the community through a range of organisations particularly in the areas of multiculturalism and the arts.

Sir William Prentice (BA 1939, LLB 1947) former Chief Justice of Papua New Guinea has passed away.

Sir William had a long and distinguished legal and military career in Australia and Papua New Guinea. His legal career began when he won an exhibition from St Joseph's College to study arts and law at the Sydney University, to which he matriculated in 1936. He was active in the Campion Society at Sydney University and had joined the Sydney University regiment.

After the outbreak of war in 1939, he volunteered for the AIF. He returned to Australia in 1946 and resumed his legal studies. He graduated from Sydney University in 1947 and was admitted to the Bar in the same year. He had an active and extensive practice from 6th Floor, Wentworth Chambers.

After service there during war, Sir William continued his interest in Papua New Guinea and its people when he became a member of the Council of Papua New Guinea Affairs which was responsible for the promotion of legal education for Papua New Guineans and he was influential in the establishment of the Faculty of Law at the University of Papua New Guinea. He was personally responsible for encouraging the education of many Papua New Guineans.

Sir William was appointed a justice of the Supreme Court of Papua New Guinea and served on that court for 10 years. He was appointed successively Senior Puisne Judge in 1975 and Chief Justice in 1978. He was knighted in 1977.

Alison Kesby (BA 1997, LLB 1999) has just come first in the LLM at Cambridge University. She was awarded the BRD Clarke Prize (for first place) and the Clive Parry Prize for International Law.

Danielle Malek, who will graduate with her Bachelor of Laws (LLB) in May 2004, won one of Australia's richest scholarships on 10th December 2003.

Danielle secured \$50,000 towards future postgraduate study and was one of eight recipients of the inaugural Sir General John Monash Award, presented at a ceremony at Government House in Canberra.

Danielle plans to undertake further study in international and human rights law.

"Australia has a role in the international community and how we align ourselves in that community is important."

More than 140 applications for the award were received and assessed by state and territory plans earlier this year.

Manoj Murugan (BA 1991, LLB 1995) writes "It is hard to believe that nearly 10 years have passed since my Year graduated from Law School, although reminders are starting to appear in the form of media coverage of the many achievements of my distinguished peers. Fulfilling my sacred oath to my lecturers, I have never attempted to practice Law. Instead I spent several years in marketing and general management for a mix of multinationals and locally listed companies in Sydney and London. However my interest in venture capital (and fondness for dressing gowns on weekends) naturally encouraged me to cross over to the "dark side" and become a stockbroker back in Sydney, where I also serve as a director for several start-up companies in the field of renewable energy. It is my belief that much of the research conducted by universities and individuals in Australia has the potential to improve the lot of people across the world, and displaying a work ethic that was untested during my time at Law School, I am devoting myself towards getting them the recognition and funding that they deserve."



Danielle Malek >>

New Law School Building – the winning design



Masterplan for Campus 2010 + Building for the Future Program

On December 1 2003, the University Senate announced the winners of the Campus 2010 Design Competition for the new Law School building on the main campus.

The winning design team was Francis-Jones Morehen Thorp, a leading Australian architectural firm with a record of innovative and award winning designs.



FJMT Architects - (Sydney)

The winning design is a series of buildings around a new plaza and forecourt which will not only create more open space for the university community but also provide a symbolic and visual link between the original sandstone Anderson Stuart building, the new pedestrian plaza along Eastern Avenue, the new Law School and the wonderful vistas and green spaces of Victoria Park. Both the new law library and faculty buildings will overlook Victoria Park. Wooden shutters between layers of glass on the faculty building will evoke the sandstone surfaces and patterns of the original university buildings while meeting modern environmental standards of energy efficiency.

The design will meet the Faculty's specifications of creating a Law School which is both integrated with the other parts of the university from which we have been separated for so long as well as providing an exciting work and meeting place for students, staff and the broader legal community.

For more information visit <http://www.usyd.edu.au/fmo/campus2010/eoi/02.htm>

Law school professor awarded Harvard Chair

Associate Professor Helen Irving is the first legal academic, and the fourth woman to be awarded the Harvard Chair in Australian Studies for the 2005-2006 academic year. Helen will be teaching courses in the Harvard Law School.

The Harvard Chair was established in 1976 by a grant from the Australian government in recognition of the American Bicentenary and to further American understanding of Australia.

Each year, the Chair is held by a distinguished scholar in Australian studies. Previous incumbents have included, former Prime Minister Gough Whitlam, distinguished historians Manning Clark and Geoffrey Blainey, and former Chancellor of Sydney University, Leonie Kramer.

Helen Irving was appointed to the Faculty of Law in 2001. She is currently

Associate Professor and Director of the Julius Stone Institute of Jurisprudence. She has degrees in political science, anthropology, history and law, respectively from Melbourne, Cambridge and Sydney Universities. She is the author and editor of many works, including *Five Things to Know about the Australian Constitution* (CUP 2004); *The Centenary Companion to Australian Federation* (CUP 1999) and *To Constitute a Nation: A Cultural History of Australia's Constitution* (CUP 1997/1999). She teaches and researches principally in constitutional law and theory, and has held several large ARC grants for research in this field. She is a frequent commentator in the media on questions of constitutional history, politics and law, and was actively involved in the celebrations of the centenary of Federation, for which she was awarded the Centenary Medal in 2003.



Professor Helen Irving



SYDNEY Law school student secures Rhodes scholarship



Sydney Law Student, Alexander (Sandy) Cameron was awarded the Australia-at-large Rhodes scholarship last month. This isn't the first award for the 23-year old, who is completing his final year of a double degree in Honours Arts and Law at Sydney University. He won the University Medal for philosophy in 2002, and other scholarships from St Andrew's College.

As well as doing community and volunteer work, Sandy has held internships in the last three years with the Australian Law Reform Commission, the UN International

Criminal Tribunal for Rwanda in Tanzania, and the Lawyers' Committee for Human Rights, an independent lobby group in Washington D.C.

Sandy, who rows for the University, is planning on pursuing a Masters of Philosophy in International Relations at Oxford University and looking forward to a career in diplomacy or policy development.

Previous Rhodes Scholars from the Law School have included Mr. Malcolm Turnbull.

28th CONGRESS ON LAW *and* Mental Health



^ L to R: George Tomossy (Executive Director, IALMH), Prof. Alan Pettigrew (CEO, NHMRC), The Hon. Justice Michael D. Kirby, Assoc. Prof. Belinda Bennett, Prof. Terry Carney, Dean Ron McCallum

Dame Brenda Hale >>



The Faculty of Law was delighted to collaborate with the International Academy of Law and Mental Health in realising the 28th International Congress on Law and Mental Health in Sydney, from Sept. 28-Oct 3, 2003. The Congress was a tremendous success with some 800 delegates attending and over 275 papers presented.

The Congress has been commended for the high quality of papers, thematic coherence of the programme and superb level of organisation leading up to and during the meeting. The topics canvassed reflected dedication on the part of all participants in addressing social issues that are relevant not only in Australia, but around the world. With the strong presence of government representatives throughout the meeting, it is hoped that the Sydney Congress will contribute towards developing policy outcomes that will improve the lives of persons with mental illness or intellectual disability.

Of special note, the Congress honoured two internationally renowned judges.

The Hon. Justice Michael D. Kirby of the High Court of Australia was the recipient of the Academy's Prix Pélicier for 2003. The award was given on behalf of the IALMH by Dean Ron McCallum. As always, Justice Kirby delivered an eloquent and thought-provoking address. True to the spirit of Prof. Yves Pélicier of the Université de Paris, in whose honour this award has been dedicated, Justice Kirby demonstrated the importance of compassion, scholarship and courage to confront issues of global importance. Associate Professor Belinda Bennett delivered an inspiring response to Justice Kirby's Address.

The recipient of the 2003 Prix Philippe Pinel was Dame Brenda Hale, who in February 2004 became the first woman appointed to the House of Lords of United Kingdom. Her passion for

promoting social justice for vulnerable persons was reflected in the choice of her topic for the Philippe Pinel Address: "Justice and equality in mental health law", a fitting homage to the ideal of humane care for persons with mental illness espoused by Philippe Pinel after whom this award was named.

An enormous thanks is owed to the Congress Chair, Prof. Terry Carney, and other members of this faculty who served on the Scientific Committee, moderated sessions and presented papers. The Faculty also wishes to congratulate Prof. Carney, who was elected to become President of the International Academy of Law and Mental Health at its next Congress in Paris in July 2005.

Further details are available on the Congress web site at:
www.ialmh.org/Sydney2003/main.htm
<<http://www.ialmh.org/Sydney2003/main.htm>>

The topics canvassed reflected dedication on the part of all participants in addressing social issues that are relevant not only in Australia, but around the world.

Sydney Law School Still Australia's First For Undergraduate Law

Sydney Law School retained its position as Australia's preferred Law School for high achievers in 2004 with the UAI cut-off point remaining at 99.6 for a second consecutive year.

"In addition, we witnessed a significant surge in demand for a transfer place in Combined Law and a place in Graduate Law," said the Dean, Professor Ron McCallum.

"We continue to keep the same number of HECS places for transfer students and Graduate Law students as in previous years but competition was more intense than expected.

"We have endeavoured to communicate the notion that direct entry from secondary school is not the only way to enrol in law at Sydney.

"Based on this year, our efforts have paid off considerably."

According to preliminary data, approximately one quarter of all Combined Law students obtained a transfer place with the vast majority having studied their first year at Sydney.

"Students may have needed a higher combination of results than in previous years to gain entry," Professor McCallum added.

If students are not successful in obtaining a transfer place, Graduate Law becomes the next option.

"Yet again demand increased in 2004," said Professor McCallum.

"Half of our graduate law students completed honours and a quarter completed a higher degree such as a Masters or PhD.

"Graduate Law has always been an excellent alternative to Combined Law and the great benefit of the program is that it attracts students from a diversity of backgrounds and interests."

Professor McCallum said Sydney Law School was fortunate that it can offer its students a variety of entry points.

"After all, at the conclusion of their studies students graduate as Sydney Bachelor of Laws (LLB) graduates, regardless of which entry path they have taken be it straight from secondary school, as a transfer student or a graduate student."

Launch of the new Master of Business Law (MBL) program

Semester 1, 2004 sees the launch of a new Master of Business Law (MBL) degree program at Sydney Law School. According to A/Professor Roger Magnusson, Associate Dean for Postgraduate Coursework, the most attractive feature of the Sydney MBL is its flexibility: candidates enrolled in the degree can choose from up to 70 units of study, the largest choice of any coursework Master's program at the Law School, aside from the Master of Laws (LLM). This means that students can generalise, or specialise, according to their interests and career requirements. Students who wish to study predominantly tax law, for example, and who might otherwise have enrolled in a Master of Taxation, now have the option of broadening their program by substituting a few corporate or commercial or finance units, and taking out an MBL.

The Master of Business Law also answers the need for a flexible, Master's level qualification that builds upon the completion of professional accountancy qualifications. More generally, it reflects the growing importance of legal literacy and business law expertise among non-lawyers working in business, finance, commercial and corporate environments.

The MBL is open to candidates with an undergraduate qualification in law, accountancy, business, or to those from another suitable discipline who have suitable experience. Candidates are not required to have an undergraduate law degree (LLB). Early indications are that the program will prove a popular one.

The MBL also provides a way for candidates who have fulfilled the requirements for a Graduate Diploma in International Business Law, in Commercial Law, or in Corporate, Securities and Finance Law, to upgrade to a Master's level qualification.

For more information on the Master of Business Law (MBL), see www.law.usyd.edu.au/postgrad

The Institute of Criminology

The Institute of Criminology held a successful seminar in its Beyond Punishment series on 'Indigenous Women and Imprisonment: Issues in Corrections and Post-Release' on 3 November 2003. Seminar speakers were: Rowena Lawrie, Aboriginal Justice Advisory Committee; Janis Constable, Aboriginal and Torres Strait Islander Social Justice Unit Human Rights and Equal Opportunity Commission; Pat Maurer, Department of Corrective Services; and Robynne Quiggin, Jumbunna Indigenous House of Learning, UTS. The chair of the seminar was Hal Wootten, AC QC, a former Royal Commissioner into Aboriginal Deaths in Custody.

The Institute's first public seminar for 2004 is 'No Imprisonment – Mandatory Imprisonment', to be held on 18 March 2004 at 5.30 pm. Participants at this seminar will discuss the seemingly contradictory controversies in sentencing at the moment: abolishing sentences of imprisonment of six months or less, and on the other hand demanding that for particular offences there be 'mandatory' minimum terms of imprisonment. Speakers at the seminar will include: Ian Harrison, President, Bar Association; Pauline Wright, Law Society Councillor and Chair of the Society's Criminal Law Committee, NSW Law Society; Kenneth B Marslew AM, Enough Is Enough; and Cameron Murphy, President, NSW Council for Civil Liberties Inc. The seminar convenor is Judge Stephen Norrish.

A seminar on 'Policing Issues and Firearms' is planned for 1 April 2004.

The November issue of the Institute's journal *Current Issues in Criminal Justice* was published in late 2003. The November issue includes articles entitled 'Domestic Violence, Separation and Parenting: Negotiating Safety Using Legal Processes', 'Irregular Migration, Identity and the State — the Challenge for Criminology', 'Drug Courts in Australia: The First Generation', 'The Nagle Royal Commission 25 Years On', 'Terrorism: Political, Not Legal' and 'Questioning the Aptness of Police Pre-Entry Physical Test'.

In other Institute of Criminology news, a new title in the Institute of Criminology Series entitled *Bin Laden in the suburbs: criminalising the Arab Other* by Scott Poynting, Greg Noble, Paul Tabar and Jock Collins, will be published in March 2004. Another title, *Global Issues, Women and Justice* edited by Sharon Pickering and Caroline Lambert will be published in the first half of 2004.

For further information about the Institute and its activities please visit our website, or contact us directly:

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Website: www.criminology.law.usyd.edu.au/



Professor Richard Vann

TEACHING AND STUDYING TAX, AT HOME AND ABROAD

In recent years, the Sydney Tax Program's influence in tax education has expanded to reach an international audience, complementing the existing strong focus on Australian tax law with a truly global outlook.

The international growth of the Tax Program has occurred in two ways. In recent years, our tax faculty have started regularly teaching tax in Europe and America. Richard Vann is a member of New York University's Global Law Faculty, and regularly spends his February in the depths of the New York winter. Lee Burns teaches Australian and comparative tax subjects in the Law School's Jena program in Germany, and Graeme Cooper has just returned from the US where he was teaching at the University of Virginia and Harvard. He also regularly teaches in the European Tax College, at Katholieke University, Belgium and Tilberg University, The Netherlands.

Our international focus also has inbound dimensions. We have been fortunate to attract a number of distinguished visitors who regularly teach in the Tax Program. This has been made possible in large part by the generous support of our visitors by Greenwoods & Freehills. This year we will welcome Malcolm Gammie Q.C. from the London Bar who is teaching UK International Tax and Brian Arnold from Canada, who will be teaching a postgraduate course on tax treaties. We will also welcome Professor Daniel Shavero from New York University who will be teaching a course on US International Tax.

Of course, we are continuing to attract a growing number of international students who undertake their postgraduate tax study at the Law School. This year we will have students joining us from the Asia Pacific region (Singapore, Malaysia, Pakistan, Indonesia, Vanuatu and Papua New Guinea), some from Africa (Botswana and Rwanda), and one intrepid soul from Norway!

STAFF NOTES

Professor Ivan Shearer is retiring as Challis Professor of International Law. Professor Shearer is a distinguished scholar, teacher and writer in the field of international law. He is a member of the UN Human Rights Committee, and expert in international law, especially the Law of the Sea, international humanitarian law, and the use of armed force.

He was appointed Challis Professor of International Law on 3 January 1993, after some 17 years at UNSW Law School - he was Dean there from 1984 to 1987. He was awarded an Order of Australia (AM) in 1995 and in 1987 was awarded a Reserve Forces Decoration (RDF) with clasp.

From mid 2000 to mid 2001 he was appointed Stockton Professor of International Law, United States Naval War College, Newport, Rhode Island. He was elected to the Human Rights Committee of the United Nations in 2001.

Immediately following his retirement, in January-February 2004, Professor Shearer taught at Indiana University School of Law, Bloomington, as the George P. Smith Distinguished Visiting Professor. He has been appointed to sit later this year as an arbitrator in the case between Malaysia and Singapore concerning land reclamation in the Straits of Johore. He was elected in December 2003 as President of the International Law Association (Australian Branch).

Professor George Winterton has accepted the position of Professor of Constitutional Law at this University. Professor Winterton will be commencing his appointment in February 2004 and is one of Australia's foremost constitutional and public law scholars.

George graduated LLB (Hons I) and LLM (thesis) at UWA, and JSD (Columbia) and is admitted as a Barrister (NSW) and Barrister and Solicitor (Vic and WA). He taught at UNSW from 1975-2004, teaching (inter alia) Federal

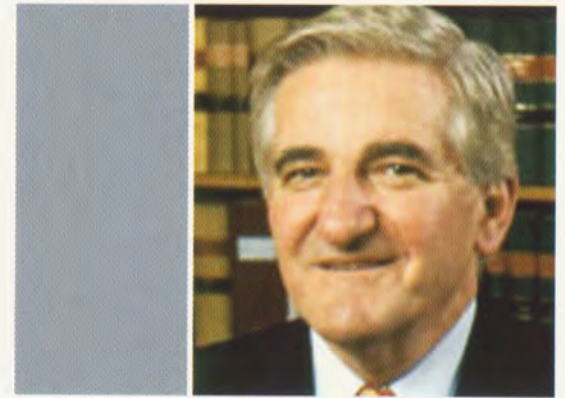
Constitutional Law, Comparative Constitutional Law, High Court of Australia and Comparative Law. Author of numerous articles and edited books, including most recently *Australian Constitutional Perspectives* (Cambridge, 2004) (co-editor). Monographs include *Parliament, the Executive and the Governor-General* (MUP, 1983), *Monarchy to Republic* (OUP, 1986) and *Judicial Remuneration in Australia* (AIJA, 1995). He is also co-author of the casebook: *Australian Federal Constitutional Law: Commentary & Materials* (LBC, 1999).

Professor Winterton has been appointed to constitutional reform bodies by both sides of politics: the Executive Government Advisory Committee of the Constitutional Commission (1985-87), the Republic Advisory Committee (1993) and was an appointed delegate to the Constitutional Convention (1998).

Andrew Tuch has joined the Faculty as a lecturer. A graduate of the University of Queensland (B.Com (Hons), LLB (Hons)) and Harvard Law School (LLM), Andrew spent three years practising corporate law for Davis Polk & Wardwell in New York and London. He is admitted to practice in New York, England and Wales and Australia. His major research interests are in corporate law, securities regulation and dispute resolution.

Mr Lee Aitken joins the Faculty in February as an Associate Professor teaching Real Property in semester one, and in semester two he will be lecturing in litigation. He comes to the law school after successful careers in both academia and at the bar.

Professor Patrick Parkinson has been appointed the new Editor of the *Sydney Law Review* for 2004. Patrick Parkinson is a specialist in family law, child protection and the law of Equity and Trusts. He has written and edited a number of books on these areas, as well as being the author of a book on the origins and development of the legal system in Australia.



Professor Ivan Shearer

Donald Rugless from the class of '64 has sent in a song from a reunion about 25 years ago.

Law Song.
(To tune of British Grenadiers.)

1. Some talk of Engineering
And some of Dentistry
Of Arts we're always hearing
And also Pharmacy,
And Med. are sure they
know the score,
And boast eternally.
But law law law law
Is the greatest faculty.
2. Come join in song all lawyers,
Come barristers verbose
Q.C.'s and clerks' employers,
Come all from far and close
Deplore your articles no more,
Sing boys from S.A.B
It's law law law law
Is the greatest faculty.
3. We all have done divorces,
And studied busily,
Done co-respondents' courses,
And worked incessantly.
But think no more of Roman Law,
Forget your Property.
Yes law law law law
The greatest faculty
4. We must attend the Law School,
And traverse Phillip Street,
To Arthurs and the Leagues Club
We wend our wayward feet,
And coffee, gin and beer galore,
We guzzle down with glee.
Yes law law law law,
Is the greatest faculty.

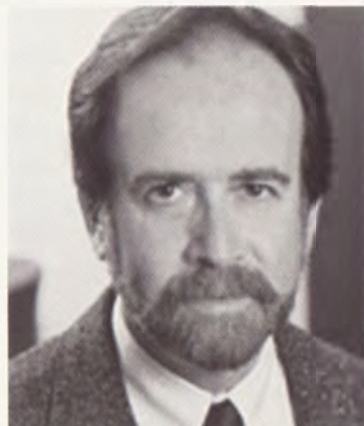
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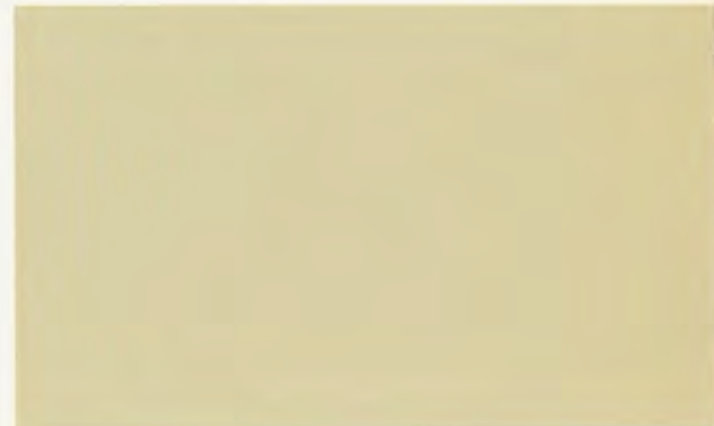
Emeritus Professor
David Harland



Associate Professor
Chris Cunneen



Professor Mark Findlay



Books and reports

- * John Carter & David Harland, *Cases and Materials on Contract Law in Australia*, Lexis Nexis, Sydney, 2003, 4th ed.

The fourth edition of *Carter and Harland's Cases and Materials on Contract Law in Australia* is essential reading for all students studying contract law.

This edition includes important new material on many aspects of contract law, including: good faith; misleading or deceptive conduct; unconscionability; damages; and restitution. The introduction incorporates a new article on good faith in Australian contract law. In addition, the chapters on damages, restitution and unconscionability have all been re-worked to take account of recent developments. These include statutory developments such as the recent legislation applying the defence of contributory negligence to contract.

Chris Cunneen, A.Wilczynski, C.Culvenor, J.Schwartzkoff, & K.Reed-Gilbert, *Early Intervention: Youth mentoring programs*, Attorney-General's Department, Canberra, 2003.

This report, commissioned under the Australian Government's National Crime Prevention Program, provides a national profile of mentoring programs for young people at risk of offending, identifies differing approaches and models for mentoring programs and highlights good practice in the field.

In particular, this research analyses the crime prevention outcomes from youth mentoring, and the value of strengthening links between families and communities.

- * Mark Findlay, *Introducing Policing: Challenges for Police and Australian Communities*, OUP, Melbourne, 2003.

This book is a concise introductory exploration of policing in contemporary Australia. It looks at policing within specific modern Australian institutions, while reflecting on the development of civil policing in all its forms, and across many states and private settings. Policing is viewed in the wider sense of regulatory and power relations as demonstrated through the essential and often problematic relationships between police and diverse communities.

- * Luke Nottage, *Product Safety and Liability Law in Japan: From Minamata to Mad Cows*, RoutledgeCurzon, London, 2004.

Since its economic stagnation in the 1990s, Japan has experienced extensive deregulation. Pressure to harmonize product safety standards prompted calls for a strengthening of Japan's product liability regime and added further avenues of compensation to consumers for harm suffered from defective goods, indirectly encouraging managers to promote product safety.

Japanese product liability law and practice are reassessed in a truly global context. Japan's system is compared with that in the European Union and Australia, and contrasted with the US model.

Faculty Visitors

Davina Cooper is a Professor of Law and Research Dean at Keele University, Staffordshire. Davina is a highly regarded legal scholar. She teaches Introduction to Law and Society, Public Law, Feminist Legal and Political Studies and Sociology of Law at undergraduate level and Research Methods, Doctoral Supervision and Examination at postgraduate level. Davina has published extensively and has particular expertise in socio-legal studies, feminist political theory, local government and sexuality. Davina spoke at the Faculty in October.

Harry McVea is a Lecturer in Law at the University of Bristol. His special interest is in the area of conflicts of interests in the company and financial spheres. In this area he has published a book (Financial Conglomerates and the Chinese Wall, OUP, 1993) and a number of leading articles. Harry visited the Faculty in October.

Kal Raustiala, who also visited the Faculty in October, is Acting Professor at the University of California School of Law and Institute of the Environment. He is also currently Visiting Assistant Professor at the Department of Politics and Research Fellow, Program on Law and Public Affairs, Princeton University. Kal is a leading scholar in International Environmental Law and Policy in the United States.

Professor David Partlett is Vice President and Dean of the Washington & Lee University School of Law, Virginia, USA. Professor Partlett is also an alumnus of Sydney Law School. He was awarded an LLB from Sydney University, an LLM from the University of Michigan and an SJD from the University of Virginia. His teaching subjects are in the areas of Torts, Advanced Torts, Child Mental Health and the Law and Remedies. David received the Paul Hartman Award for excellence in teaching in 1992-93. He has the highest standing in torts law circles and is an author of the leading Torts casebook originally edited by Professor Prosser. He visited for a Torts & Media Law discussion with lecturers.

Lizzie Barmes is a Lecturer in Law at University College London, United Kingdom. At the Law Commission Lizzie worked extensively on a series of proposals for reforming the law on damages for personal injury. She spoke at the Faculty on "Developing a theory of workplace bullying".

Professor Mittal is Visiting Professor and Senior Vice President of the Amity Law School in New Delhi, Director of the Amity Law School in Noida and Director of the Amity Institute of Global Legal Education and Research. Professor Mittal is a senior Indian academic with extensive teaching experience and a long public record. He has particular expertise in legal history, constitutional law and environmental law. He spoke in March on "Human rights: Indian charter".

Professor Dan Rubinfeld, Professor of Law and Professor of Economics at University of California Berkeley presented a seminar at the Faculty on "The Strategic Use of Patents: The Implications for Antitrust". Apart from Professor Rubinfeld's distinguished academic career, he recently became well known as one of the key expert witnesses in the Microsoft case.



stay in touch

This is a newsletter for you. To stay in touch and be a part of the community of Sydney Law School please provide us with input. Your feedback is valuable and all contributions are welcome whether an update on yourself, photos from your Law School days, opinions, reunions or a request to get in touch with a former student, contact:

Ms. Louise Pierce
Alumni and Events Coordinator
Phone: (61 +2) 9351 0327 or
Fax: (61 +2) 9351 0200
Email: louisep@law.usyd.edu.au

Ensure we have your most recent contact details. Register or update your details at our alumni section at www.law.usyd.edu.au



Faculty of Law



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MERCHANDISE

Remember that we have a range of merchandise on offer including polo shirts, rugby shirts, ties, scarves and more for purchase. Look to our website for more information and to order, or buy in person from level 12 of the Law School.

Forthcoming Corporate Law Seminars and Conferences 2004

Seminar: Corporate Scandals and the Changing Role of the Board of Directors
Date: Thursday 12 February 2004
Speaker: Professor Robert B. Thompson
New York Alumni Chancellor Professor of Law; FedEx Research Professor (2003-4), Vanderbilt University Law School

The first seminar in Sydney Law School's 2004 Corporate Law Seminar Series will address the impact of post-Enron corporate regulation on the role and structure of boards. Full details of the seminar and registration form can be found on the Faculty's website at:

<http://www.law.usyd.edu.au/cle/2004/CorpLaw2004Thompson.pdf>

Seminar: Off-Balance Sheet Transactions Post-Enron and HIH
Date: Thursday 1 April 2004
Speaker: Professor Steven Schwarcz
Duke University School of Law, USA

Conference: Regulating Conflicts of Interest in the Commercial World
Date: June 2004
Keynote Speaker: Professor Deborah A. DeMott, David F. Cavers Professor of Law, Duke University School of Law, USA
Professor Howard O. Hunter, Emory School of Law, USA

Public Address: 2004 Ross Parsons Address in Corporate Law and Dinner
Date: July 2004
Speaker: TBA

Seminar: The Shareholder as Ulysses
Date: Wednesday 11 August 2004
Speaker: Professor Lynn Stout, UCLA School of Law, USA