

Faculty of Law



Annual Report 2002

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Overview and Key Achievements

The Faculty of Law in 2002 continued to consolidate its position as one of Australia's leading law schools, despite its ongoing struggle with a comparatively poor student/staff ratio. The student/staff ratio needs to be improved to ensure that the Faculty can continue to deliver the kind of legal education that produces thoughtful, constructive and creative lawyers who add value to the society they serve. That the Faculty is able to do this under the current constraints is a testament to the dedication and commitment of the Faculty's outstanding and remarkably collegial staff, academic and general. But this success is under stress from classes that are too large to easily accommodate interactive discussion, skills acquisition, and creative problem-solving, let alone the University's aspirations for iLearning.

The Faculty's key achievement in 2002 in teaching and research are set out herein and need not be repeated here. The Faculty's outstanding performance in 'outreach' activities should also be mentioned—not merely the extraordinarily high level of conference activity, but also the widespread involvement in community affairs. Aside from these standard achievements in teaching, research and outreach, the following highlights of 2002 should be noted:

- Winning the highly competitive tender to host the National Judicial College of Australia
- Recognition by Singapore of the ANU law degree for the purposes of admission to practice in Singapore (only 8 out of Australia's 28 law schools so recognised)
- Launch of the Faculty's acclaimed *Oxford Companion to the High Court of Australia* (OUP, 2001) at a dinner attended by all seven current High Court Justices and five former Justices, including three former Chief Justices
- Winning of Vice-Chancellor's Teaching Excellence Award by Mr Simon Bronitt
- Approval for the construction of two new law theatres on the eastern end of the north wing of the law building, thus providing much-needed teaching space tailored to the specific needs of law
- Commitment to an annual academic appointment round, according to a regular schedule, that allows good forward-planning both by the Faculty and by applicants and has produced very high quality appointments
- Reappointment of the Dean for a second five-year term
- Commencement of discussion of developing a more 'law reform and social justice' ethos in the law school (see below under 'Future Directions')

The Faculty's major goals identified in 2001 for 2002 were combating the (nationwide) phenomenon of 'student disengagement'; ramping up our research performance; and improving our external relations. Working for us in 2002 were the quality and collegiality of our staff, a culture supportive of research and the exchange of ideas, the quality of our students, and our high reputation nationally and internationally. Working against us were our high student/staff ratio, our almost oppressive workload, and our constant struggle to achieve excellence with total resources of less than one-tenth of the resources of an equivalent-sized, good to very good American law school.

Staff

Academic Staff

AMIRTHALINGAM, Kumar, *Lecturer*, LLB ANU (on leave)
ANDERSON, Kent, *Senior Lecturer*, BA Middlebury, MA JD Washington, MJur Oxon
ANTON, Donald Kris, *Lecturer* and Acting Director, Australian Centre for Environmental Law, BSc (CMSU), JD St. Louis, Barrister & Solicitor NSW, Vic., member Missouri & Idaho Bars
BAYNE, Peter John, *Reader*, LLB Mel., JD Chic, Barrister & Solicitor Vic. & PNG
BEHRENS, Juliet Myrna, *Senior Lecturer*, BA LLB PhD Ta., Barrister NSW, (fractional)
BINDON, Prue, *Associate Lecturer*, BA LLB ANU
BLANK, Graeme, *Lecturer*, LLB, GradDipLegPrac ANU, Barrister
BOTTOMLEY, Stephen Charles, *Professor* and Director Centre for Commercial Law, BA LLB Mac, LLM NSW
BRISCOE, Lisa, *Associate Lecturer*, BA UNSW, LLB ANU, LLM UNSW (on leave)
BRONITT, Simon, *Reader*, LLB Bristol, LLM Camb
BRUCE, Alexander DP, *Senior Lecturer*, LLB QUT, Solicitor Qld
BURRELL, Robert, *Senior Lecturer*, LLB LLM Lond
BYRNES, Andrew, *Professor*, BA LLB ANU, LLM Harv, LLM Columbia

CHARLESWORTH, Hilary Christiane Mary, *Professor* and Director, Centre for International and Public Law, BA LLB *Melb.*, SJD *Harv*, Barrister & Solicitor Vic
 CLARKE, Jennifer A., *Lecturer*, BJur LLB *Monash*, Barrister & Solicitor ACT & NT (fractional)
 CONNOLLY, Antony, *Lecturer*, BA.LLB *WAust*, Postgraduate. Dip. *Melb*, Barrister and Solicitor WA
 COPPER, Michael D, *Robert Garran Professor and Dean*, BA LLB *Syd*, PhD *NSW*, Barrister NSW, Barrister & Solicitor ACT
 CREYKE, Robin Mary, *Professor*, LLB *WAust*, LLM *ANU*
 DIETRICH, Joachim, *Senior Lecturer*, LLB *Qld*, PhD *ANU*, Barrister NSW
 DU MOULIN, Lynette, *Lecturer*, BA *ANU*, BLegS *Macq.*, GradDipLib *Canberra CAE*, Barrister & Solicitor ACT, Solicitor NSW (fractional)
 FITZPATRICK, Daniel Joseph, *Lecturer*, BA LLM *Syd*, (on leave)
 FLYNN, Michael, *Lecturer*, MA LLB *Syd*, Solicitor NSW & England (fractional)
 FOLEY, Tony, *Lecturer*, BA LLM *Wollongong*, Dip Ed, Solicitor NSW
 FONTEYNE, Jean-Pierre Laurent, *Senior Lecturer*, CandLitPhil DrJur *Ghent*, LLM *Virg*
 GANI, Miriam, *Lecturer*, BA LLB *ANU*, GradDipSecStuds, GradDipEduc *CCAE*
 HARRISON, Judith, *Lecturer*, BA LLB *ANU*, Barrister & Solicitor ACT & NT (fractional)
 HASSALL, Douglas, *Senior Lecturer*, BA LLB *Qld*, PhD *Qld*, Barrister & Solicitor ACT & Vic., Barrister NSW
 JONES, Judith Sutherland, *Lecturer*, BSc *Syd.*, LLB *NSW*, DipPracLegTraining *UTS*, Solicitor NSW
 MARES, Henry, *Associate Lecturer*, LLB *ANU*, MSc *Syd* (on leave)
 MATHEW, Penelope, *Senior Lecturer*, BA LLB *Melb*, LLM JSD *Columbia*, Barrister & Solicitor Vic.
 McCRYSTAL, Shae, *Lecturer*, BA LLB *Tas*
 McDONALD, Leighton, *Senior Lecturer*, BEc LLB *Macq*, LLM *York*
 McMILLAN, John Denison, *Professor*, BA LLB *ANU*, Barrister & Solicitor ACT
 McNAUGHTON, Anne, *Lecturer* BA *N'cle (NSW)*, LLB *NSW*, LLM *Tüb*, LLM (International Law) *UTS*
 MORGAN, Wayne, *Senior Lecturer*, BA LLB *Melb*, LLM *Columbia*, Barrister and Solicitor, Victoria, NT
 NOLAN, Mark, *Lecturer*, BSc LLB *ANU*
 RIDGE, Pauline Ann, *Lecturer*, BA LLB *ANU*, BCL *Oxon*, Barrister & Solicitor ACT, (fractional)
 RIMMER, Matthew, *Lecturer*, BA LLB *ANU*, PhD *UNSW*
 SELBY, Hugh, *Reader*, BA LLB *Syd.*, MSW *Mich.*, Barrister
 SIMPSON, Amelia Mary, *Associate Lecturer*, BA LLB *ANU*, Barrister & Solicitor Vic (on leave)
 SPENDER, Peta, *Reader*, BA LLB *NSW*, LLM *Syd*, Barrister & Solicitor ACT, Solicitor NSW
 STELLIOS, James, *Lecturer*, BEc LLB *ANU* LLM *Cornell*
 STEWART, Daniel John, *Lecturer*, BEc LLB GradDip in Legal Practice *ANU*, LLM *Virg*, Barrister & Solicitor ACT
 STONE, Adrienne, *Senior Lecturer*, BA LLB *NSW*, LLM *Columbia* (on leave)
 TAUBMAN, Antony, B.Sc *Syd*, BA *Melb*, Registered Patent & Trade Mark Attorney
 TAMSITT, Gary, Director, Legal Workshop, BA LLB *Syd*, Barrister & Solicitor ACT, Solicitor NSW
 WEEKS, Phillipa Christine, *Professor*, BA LLB LLM *ANU*, Barrister NSW, Barrister & Solicitor ACT, Associate Dean and Head of School
 WHEELER, Fiona Dowling, *Reader*, BA LLB PhD *ANU*, Barrister NSW, Sub-Dean (fractional)

Emeritus Professors

DAVIS, James Lindsay Reeve, *Emeritus Professor*, BA LLB *NZ*, LLM DipCompLegStud *Camb.*, Barrister & Solicitor NZ, Vic. & ACT
 HAMBLY, Arthur David, *Emeritus Professor*, LLB *Melb*, LLM *Harv*, Barrister & Solicitor Vic. & ACT
 GREIG, Donald Westlake, *Emeritus Professor* LB MA *Camb*, LLD *ANU*, Barrister Middle Temple & NSW, FASSA
 PEARCE, Dennis Charles, *Emeritus Professor*, LLB *Adel*, LLM PhD *ANU*, Barrister & Solicitor SAust. & ACT, Solicitor NSW
 RICHARDSON, Jack E, AO, *Emeritus Professor* BA LLB *Melb*, LLM *Melb*, LLM *McGill*, Barrister & Solicitor Vic. & ACT, Barrister, NSW

Adjunct Professors

BAILEY, Peter, AM OBE, LLM *Melb*, MA *Oxf*
 BLACKSHIELD, Tony, LLM *Syd*
 HOOKER, Michael Barry, LLB LLM *Christchurch*, Barrister & Solicitor NZ
 LE BRUN, Marlene, BA *Manchester*, JD *Connecticut*, MEdSt *Tas*, LLM *Adel*

LINDELL, Geoffrey, LLB *Adel*, LLM *Adel*, Barrister & Solicitor SA, Barrister & Solicitor of the High Court
REFSHAUGE, Richard, BA LLB *ANU*, Barrister & Solicitor ACT, Vic, Solicitor NSW
SEYMOUR, John Alexander, BA LLB PhD *Auck.*, DipCrim *Camb*, Barrister & Solicitor NZ & ACT

Visiting Fellows (with teaching duties)

KOBETSKY, Michael, BEd *Syd*, LLB *ANU*
SHERMAN, Tom, LLB *Qld*

Visiting Fellows

ANDERSON, Jack, Lecturer in Law, University of Limerick, Ireland

Distinguished Visiting Fellows

MASON, Sir Anthony, 18-22 March, 19–22 August
LINDELL, Professor Geoffrey, 19–23 August

Research Fellow

CHIAM, Madelaine BA LLB *Melb*, LLM *Toronto*
KENT, Ann, BA *ANU*, MA *Harvard*, PhD *ANU*

Administrative Staff

BRAID, Jennifer, Executive Support
BREEZE, Stacey, B App Econ, *UC*, Finance and HR Officer
BUSH, Fiona, Information Technology and Communications Support
COPPIN, Rohan, Materials Production Officer, Legal Workshop
DRURY Phil, Manager, Information Technology and Communications
EAST Sue, Student Administrator
ELLIOTT Leslie, Assistant Course Administrator, Legal Workshop
GILL Rosemarie Ann, BA MA, *Calgary*, Faculty Executive Officer
HANCOCK Sue, BA *ANU*, Manager, Student Administration
HARDY, Jayne, Faculty Services Officer
HEUER Karen, BA *ANU*, Executive Assistant to the Dean
HUTTON Cathy, BA Dip Ed *Monash*, Administrator, Centre for International and Public Law
JONES, Merran, BSc *Newcastle*, Administrator, Australian Centre for Environmental Law
LENARCIC Sandra, BInfo Tech *USQ*, MFinMgt *ANU*, MFTA, Manager, Finance and Human Resources
LEW Alan, Information Technology and Communications Support
MABILLE, Michellé, BEcon *Stellenbosch*, Dip Advertising *Auckland Inst Tech*, Administrator/Alumni Officer
NEWTON, Christopher, BA *ANU*, Administrator, Australian Centre for Intellectual Property in Agriculture
NICHOLAS, Anna, Receptionist
O'KEEFFE, Tanya, Postgraduate Administrator, Student Administration
RIGG, Dinah, Assistant Manager, Student Administration
ROZANSKI Maggie, Administrative Assistant, Legal Workshop
SAN MARTIN, Guillerma, Administrator, Legal Workshop
SAYCE, Robert Lawson, CSC, JSSC, PSC, Administrator, Legal Workshop
SERENA, Fabian, BCom *ANU* Information Technology and Communications Support
SMETHILLS, Susanne, Finance and HR Officer
THOMPSON Wil, Administrative Assistant, Legal Workshop
WADDELL Glenda, Publications Officer
WILSON, Tim, IT Officer, Legal Workshop

Appointments

BELLCHAMBERS, Patrick, Faculty Services Office Assistant (8/4/02)
BURRELL, Robert, *Senior Lecturer*, LLB LLM *Lond* (14/1/02)
BUSH, Fiona, Information Technology and Communications Support (26/8/02)
COPPIN, Rohan, Materials Production Officer, Legal Workshop (18/12/02)

HOGAN, Birgit, Executive Assistant and Project Officer (8/4/02)
 JONES, Merran Administrator Australian Centre for Environmental Law (9/9/02)
 McDONALD, Leighton, *Senior Lecturer*, BEc LLB *Macq*, LLM *York* (2/01/02)
 NICHOLLES, Anna, Receptionist (21/11/02)
 O'KEEFFE, Tanya, Postgraduate Administrator, Student Administration (18/11/02)
 RIGG, Dinah, Assistant Manager, Student Administration (25/11/02)
 NOLAN, Mark, *Lecturer*, BSc LLB *ANU* (1/01/02)
 SMETHILLS, Susanne, Dip Gov Fin Management, CIT Solutions, Finance and Human Resources Officer (11/2/02)

Resignations

FARZAN, Patricia, Postgraduate Administrator (8/8/02)
 WILSON, Tim, IT Officer, Legal Workshop (22/6/02)

Secondments and other Leave

AMIRTHALINGAM, Kumar, *Lecturer*, LLB *ANU*
 BRISCOE, Lisa, *Associate Lecturer*, BA *UNSW*, LLB *ANU*, LLM *UNSW*
 FITZPATRICK, Daniel Joseph, *Lecturer*, BA LLM *Syd*.
 MARES, Henry, *Associate Lecturer*, LLB *ANU*, MSc *Syd*
 SIMPSON, Amelia Mary, *Associate Lecturer*, BA LLB *ANU*, Barrister & Solicitor Vic.
 STONE, Adrienne, *Senior Lecturer*, BA LLB *NSW*, LLM *Columbia*

Secondments and other Leave

AMIRTHALINGAM, Kumar, *Lecturer*, LLB *ANU*
 BRISCOE, Lisa, *Associate Lecturer*, BA *UNSW*, LLB *ANU*, LLM *UNSW*
 FITZPATRICK, Daniel Joseph, *Lecturer*, BA LLM *Syd*.
 MARES, Henry, *Associate Lecturer*, LLB *ANU*, MSc *Syd*
 SIMPSON, Amelia Mary, *Associate Lecturer*, BA LLB *ANU*, Barrister & Solicitor Vic.
 STONE, Adrienne, *Senior Lecturer*, BA LLB *NSW*, LLM *Columbia*

Undergraduate Courses

UNDERGRADUATE STUDENT ENROLMENTS 2002 BY COURSE, LEVEL OF COURSE, ATTENDANCE TYPE AND SEX as at 31 March 2002									
COURSE	FULL-TIME			PART-TIME			ALL ATTENDANCE TYPES		TOTAL
	Female	Male	Sub-Total	Female	Male	Sub-Total	Female	Male	
Law	23	12	35	4	3	7	27	15	42
Law (Graduate)	53	44	97	26	28	54	79	72	151
Actuarial Studies/Law	10	12	22	0	0	0	10	12	22
Arts/Law	396	206	602	18	7	25	414	213	627
Asian Studies (Sp)/Law	79	28	107	4	1	5	83	29	112
Asian Studies/Law	0	0	0	0	1	1	0	1	1
Commerce/Law	66	92	158	2	3	5	68	95	163
Economics/Law	26	50	76	0	4	4	26	54	80
Psychology/Law	24	10	34	0	0	0	24	10	34
Science/Law	76	47	123	7	3	10	83	50	133
TOTAL	753	501	1254	61	50	111	814	551	1365

Major Prizes, Honours and Awards for Staff and Students

Undergraduate Prizes and Scholarships

- Derek James Brotherson, Rickman Lilienthal and Jodi Anne Gray were awarded University Medals on completion of the Bachelor of Laws degree in 2002.

- Paul Barnsley was awarded the Tillyard Prize.

Prizes for Undergraduate Studies	
Prize	Student
ACT Baha'i Community Prize in International Law	Amanda Joy Angus
ACT Bar Association Prize for Evidence	To be determined
Allens Arthur Robinson International Trade Law Prize	Jodi Anne Gray
Ann Downer Memorial Prize in Law	Jing-Ping Chua
Bailey Prize for Human Rights	Anna Maria Dziedzic
Baker and McKenzie Prize in Intellectual Property	James John Hutton
B C Meagher Prize for Commonwealth Constitutional Law	Glyn James Watson
Blackburn Medal for Research in Law	Rickman Lilienthal, David Quinn
Blake Dawson Waldron Prize for Corporations Law	James John Hutton
Butterworths Prizes in Law	
Conflict of Laws	Neil Arora, Lyndal Maree Buik
Equity and Trusts	Philippa Emily Bergin
Foundations of Australian Law	Christopher Philip Govey
Law and Psychology	Jacqueline Alicia Wootton
Law and Society in South East Asia	Rickman Lilienthal
Restrictive Trade Practices	Zoe Dorothy Guest , Christopher James Green, Bradley Scott Peppink, Paul Maxwell Shepherd
SLE 4: International Criminal Law	Lyndal Maree Buik
Takeovers and Securities Industry Law	Georgina Lee Howell
Clayton Utz Prize in Administrative Law	James John Hutton
Clayton Utz Prize in Torts	Amanda Louise Thomas
Commonwealth Attorney-General's Prize	Rickman Lilienthal
Daphne Olive Memorial Prize in Legal Theory	Nicholas Anthony Bye
Farrar Gesini & Dunn Family Law Prize	Catherine Mary Binnington, Vanessa Leigh Smith, Julie Mary Thwaite
Freehills Prize for Commercial Law	Christopher Joel Pitson
George Knowles Memorial Prize	Philippa Emily Bergin Benjamin James May
Harmers Prize for Work and Law	Alexander James Phipps
Holding Redlich Prize for Labour Law	Michael David Stanton
Holding Redlich Prize for Property	Daniel Karl Casey
Jack Richardson Prize for Administrative Law	Kazi Imtiaz Nazr Omar
John James Memorial Hospital Prize for Health Law and Ethics	Emma Therese Lawrence, Dean Stretton Paul Greenwood
Law Society of the ACT Prize for Contracts	Alexander William Kunzelmann
Mallesons Stephen Jaques Prize for Law Studies	Jacqueline Alica Wootton
Maree Ayers Prize for Criminal Justice	James Kendal
Minter Ellison Prize	Neil Arora, Mariana Cintra-Oppermann, Scott Ralston, Nicholas Smith
PCA Prize for Lawyers, Justice and Ethics	Aparna Rao
SoftLaw Prize in Expert Legal Systems	John Martin McGlashan
SoftLaw Prize in Information Technology Law	Damien Leslie Kelly
Supreme Court Judges' Prize	Rickman Lilienthal
UNHCR Prize for International Law of Human Rights	Marie-Charlotte Helen McKenna

Staff Honours

Mr S Bronitt: Vice-Chancellor's Award for Teaching Excellence, conferred October 2002.

Postgraduate Courses

POSTGRADUATE STUDENT ENROLMENTS 2002
(Including Legal Workshop and ISF Students)
as at 31 December 2002

Female

Male

Total

PhD	3	4	7
SJD	4	3	7
Master (Research)	2	0	2
Master (Course-work)	113	99	212
Graduate Diploma	28	21	49
Graduate Diploma Legal Practice	142	185	327
Graduate Certificate & non-award	9	10	19
TOTAL	301	322	623
Graduate Course Awards	7	7	14

Publications

Books

- Bottomley, S., Kinley, D., *Commercial Law and Human Rights*, (2002) pp 341, Dartmouth.
- Bottomley, S., Tomasic, R., McQueen, R., *Corporations Law In Australia*, (2nd ed, 2002) pp 1–893, Federation Press.
- Creyke, R., McMillan, J., *Administrative Law: the essentials*, (2002) pp 228, Australian Institute of Administrative Law, Canberra ACT
- Creyke, R., Keyzer, P., *The Brennan Legacy: Blowing: the winds of legal orthodoxy*, (2002) pp 187, Federation Press.
- Fitzpatrick, D., *Land Claims in East Timor*, (2002) pp 246, Asia Pacific Press.
- Hambly, D., Luntz, H., *Torts Cases and Commentary*, (5th ed, 2002) pp 1026, Butterworths.
- Pearce, D., Geddes, R., (2002) *Statutory Interpretation in Australia*, (5th ed, 2002) pp 314, Butterworths.

Chapters in Books

- Anderson, K., (2002) "Why sue in the United States?—Post-war compensation law suits in America", in Y Okuda and J Yamaguchi (eds), *The Globalisation of Post-War Compensation Lawsuits*, Shinzansha, Tokyo, pp 3–25
- Bottomley, S., (2002) "Corporations and Human Rights", in Stephen Bottomley and David Kinley (eds), *Commercial Law and Human Rights*, pp 47–68.
- Burrell, R., (2002) "The Future of the Copyright Exceptions", in D McClean and K Schubert (eds), *Dear Images: Art, Copyright and Culture*, pp 455–471.
- Byrnes, A., (2002) "The Convention on the Elimination of All Forms of Discrimination against Women", in Benedek W, Kisaakye E M, Oberleitner G (eds), *The Human Rights of Women: International Instruments and African Experiences*, pp 119–172.
- Charlesworth, H., (2002) "Concepts of Equality in International Law", in G Huscroft and P Rishworth (eds), *Litigating Rights*, pp 137–147.
- Creyke, R., (2002) "Sir Gerard Brennan's Extra-Curial Writings", in R Creyke and P Keyzer (eds), *The Brennan Legacy: Blowing the winds of legal orthodoxy*, pp 141–173.
- Fitzpatrick, D., (2002) "Chinese Family Firms in Indonesia and the Question of "Confucian Corporatism"", in M B Hooker (ed), *Law and the Chinese in Southeast Asia*, pp 150–168.
- Gani, M., Barclay, S., (2002) "Australia", in H M Kritzer (ed), *Legal Systems of the World*, pp 82–88,
- Hooker, B., (2002) "A Preliminary Survey of the Issues and the Literature", in M B Hooker (ed), *Law and the Chinese in Southeast Asia*, pp 1–31.
- Hooker, B., (2002) "English Law and the Invention of Chinese Personal Law in Singapore and Malaysia", in M B Hooker (ed), *Law and the Chinese in Southeast Asia*, pp 95–130.
- McMillan, J., (2002) "Administrative Law, Commerce and Human Rights", in Stephen Bottomley and David Kinley (eds), *Commercial Law and Human Rights*, pp 257–280.
- Seymour, J., (2002) "Child Welfare Laws of Australia",
- Seymour, J., (2002) "Children, Rights and the Law", in Margot Prior (ed), *Investing in Our Children: Developing a Research Agenda*, pp 14–21.
- Spender, P., (2002) "Court Adjudication under An Adversarial System", in Stephen Colbran, Greg Reinhardt, Peta Spender, Sheryl Jackson, Roger Douglas (eds) *Civil Procedure: Commentary and Materials*, 2nd edition, pp 1–60.
- Spender, P., "Instituting Proceedings" (2002 2nd ed), in Stephen Colbran, Greg Reinhardt, Peta Spender, Sheryl Jackson, Roger Douglas (eds), *Civil Procedure: Commentary and Materials*, 210–240.
- Spender, P., "Limitation of Actions" (2002 2nd ed), in Stephen Colbran, Greg Reinhardt, Peta Spender, Sheryl Jackson, Roger Douglas (eds), *Civil Procedure: Commentary and Materials*, 165–209.
- Spender, P., "Summary Disposition" (2002 2nd ed), in Stephen Colbran, Greg Reinhardt, Peta Spender, Sheryl Jackson, Roger Douglas (eds), *Civil Procedure: Commentary and Materials*, pp 439–486.
- Weeks, P., (2002) "Labour Law and Human Rights", in Stephen Bottomley and David Kinley (eds), *Commercial Law and Human Rights*, pp 281–294.

Articles in Journals

- Anderson, K., (2002) "An Asian Pinochet?—Not Likely: The Unfulfilled International Law Promise in Japan's Treatment of Former Peruvian President Alberto Fujimori", *Stanford Journal of International Law*, Vol 38(2), pp 177–206.

- Anderson, K., (2002) 'U.S. Federal Jurisdiction over Torts in Violation of International Law—Focusing on the Alien Tort Claims Act', *Journal of International Law and Diplomacy*, Vol 101(1), pp 39–51.
- Anton, D., (2002) 'Book Review CG Weeramantry, Nuclear Weapons and Scientific Responsibility', *Australian Yearbook of International Law*, Vol 22, pp 229–234.
- Bently, L., Burrell, R., (2002) 'The Requirement of Trade Mark Use', *Australian Intellectual Property Journal*, Vol 13(4), pp 181–198.
- Bongiorno, C., (2002) 'A Culture of Impunity: Applying International Human Rights Law to the United Nations in East Timor', *Columbia Human Rights Law Review*, Vol 33(3), pp 623.
- Briese, R., (2002) 'Precaution and Cooperation in the World Trade Organization: An Environmental Perspective', *Australian Yearbook of International Law*, Vol 22, pp 113–158.
- Bronitt, S., (2002) 'Privacy Defences: The Human Rights (Sexual Conduct) Act 1994 (Cth)', *LegalDate*, Vol 14(3), pp 9–10.
- Bronitt, S., Mares, H., (2002) 'Privacy in the investigative process: Striking a balance?', *LegalDate*, Vol 14(3), pp 2–3.
- Bronitt, S., (2002) 'Sang is Dead, Loosely Speaking', *Singapore Journal of Legal Studies*, pp 374–387.
- Bronitt, S., (2002) 'The evolving role of privacy in the criminal law', *LegalDate*, Vol 14(3), pp 1–3.
- Bruce, A., (2002) 'The Search for Truth and Freedom: Ethical Issues Surrounding Human Cloning and Stem Cell Research', *Journal of Law and Medicine*, Vol 9(3), pp 323–335.
- Bruce, A., (2002) 'The Trade Practices Act 1974 (Cth) and the Demise of Legal Professional Privilege', *Federal Law Review*, Vol 30(2), pp 373–398.
- Burrell, R., Lee, M., (2002) 'Liability for the Escape of GM Seeds: Pursuing the ‘Victim’?', *Modern Law Review*, Vol 65, pp 517–537.
- Charlesworth, H., (2002) 'Author! Author! A response to David Kennedy', *Harvard Human Rights Journal*, Vol 15, pp 127–131.
- Charlesworth, H., (2002) 'Book Review Michael Byers (ed) The Role of Law in International Politics: Essays in International Relations and International Law', *Australian Yearbook of International Law*, Vol 22, pp 247–250.
- Charlesworth, H., (2002) 'Human Rights in Australian Law', *Public Law Review*, Vol 13(3), pp 155–160.
- Charlesworth, H., (2002) 'International Law: A Discipline of Crisis', *Modern Law Review*, Vol 65(3), pp 377–392.
- Charlesworth, H., (2002) 'International Legal Implications Teach-In on Terrorism', *New England Journal of International and Comparative Law*, Vol 8(1), pp 81–102.
- Charlesworth, H., Chinkin, C., (2002) 'Sex, Gender, and September 11', *American Journal of International Law*, Vol 96(3), pp 600–605.
- Charlesworth, H., (2002) 'The Hidden Gender of International Law', *Temple International and Comparative Law Journal*, Vol 16(1), pp 93–102.
- Coper, M., (2002) 'The Path of the Law', *The Australian Law Journal*, Vol 76, pp 716–724.
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- Creyke, R., McMillan, J., (2002) 'Executive Perceptions of Administrative Law—An Empirical Study', *Australian Journal of Administrative Law*, Vol 9(4), pp 163–190.
- Creyke, R., (2002) 'Tribunals and Access to Justice', *Queensland University of Technology Law Journal*, Vol 2(1), pp 64–82.
- Devereux, A., (2002) 'Australia and the International Scrutiny of Civil and Political Rights: An Analysis of Australia's Negotiating Policies 1946-1966', *Australian Yearbook of International Law*, Vol 22, pp 47–75.
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- Foley, T., (2002) 'Negotiating Resource Agreements: Lessons from ILUAs', *Environmental and Planning Law Journal*, Vol 19(4), pp 267–275.
- Gani, M., (2002) 'Stalking and cyberstalking: Crimes against Privacy?', *LegalDate*, Vol 14(3), pp 7–8.
- Hogg, R., (2002) 'Review Essay Crime Control in Late Modernity—David Garland's The Culture of Control: Crime and Social Order In Contemporary Society, 2001, Oxford University Press', *Current Issues in Criminal Justice*, Vol 14(2), pp 224–240.
- Hooker, B., (2002) 'Introduction: Islamic Law in South-east Asia', *Australian Journal of Asian Law*, Vol 4(3), pp 213–231.
- Hooker, B., Lindsey, T., (2002) 'Public Faces of Syariah in Contemporary Indonesia: Towards a National Mazhab?', *Australian Journal of Asian Law*, Vol 4(3), pp 259–294.

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Collaboration and Outreach

- BEHRENS, Dr J., chair, ACT Domestic Violence Prevention Council, appointed from 1 December 2002; member, editorial board, *Australian Journal of Family Law*; member, Violence sub-committee, Family Law Council; part-time member, Social Security Appeals Tribunal
- BOTTOMLEY, Prof. S.C., president, Corporate Law Teachers Association; member, editorial committee, *Australian Journal of Corporate Law*; legal adviser, Senate Standing

Committee on Regulations and Ordinances; guest speaker, Cancer Council of Australia Annual Board Workshop, on directors' duties and corporate governance

BRONITT, Mr S., visiting Professor, University of Alabama; visitor and guest lecturer, University of Western Ontario and University of Saskatchewan; visiting fellow, University of Limerick; justice fellow, Law and Justice Foundation of NSW, research project on "move-on" powers; external examiner, University of Hong Kong; member, criminal law committee, Law Society of the ACT; chair, ACT Domestic Violence Prevention Council, state editor, *Criminal Law Journal*

BURRELL, Mr R., guest lecturer, teaching in Warsaw for Cambridge's European Law Program, University of Cambridge; external examiner, University of London

BYRNES Prof. A., collaboration with Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong, on the preparation of a compilation of international and comparative case law relating to women's human rights; member, conference organising committee, ANZSIL Annual Conference; member, external forum on gender, Asian Development Bank; co-rapporteur, International Law Association Committee on Human Rights Law and Practice; advisory committee, International Women's Rights Watch (Asia-Pacific); co-editor, *Australian Yearbook of International Law* (mid-2002); correspondent, *Butterworths Human Rights Cases*; co-organiser, series of international criminal law events with Netherlands Embassy; international resource person in training, Mongolian government officials and non-governmental organisations on the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women, in Ulaanbaatar; resource person, Regional Judicial Colloquium on the application of international human rights law at the domestic level, organised by the UN Division for the Advancement of Women and the UN Economic and Social Commission for Asia and the Pacific, Bangkok; external examiner, University of Toronto; panel member, Deliberative Poll on an ACT Bill of Rights; guest lecturer, University of Tasmania

COPER, Prof. M.D., trustee, The Lionel Murphy Scholarship Foundation; chair, Transport Industry Accreditation Council

CHARLESWORTH, Prof. H.C., member, Committee to Review Monash Law School; member, Global Law Faculty, New York University Law School; counsellor, American Society of International Law; chair, International Law Association, Committee on Teaching International Law; co-patron, ACT Women's Legal Centre, assessor, Australian Research Council; member, advisory board, *Traffic* (journal of the University of Melbourne Postgraduate Association); advisory board, *Leiden Journal of International Law*; board of editors, *American Journal of International Law*; co-editor, *Australian Yearbook of International Law*; chair, ACT Bill of Rights Consultative Committee; convenor, international law training course, Department of Foreign Affairs and Trade

CREYKE, Prof. R., member, selection committee, University of New England; invited participant, international workshop on judicial review, Tilburg University, The Netherlands; consultant (with Professors McMillan and Pearce), Lord Chancellor's Department, UK; member, Administrative Review Council; commissioner, ACT's Independent Competition and Regulatory Commission; vice-president, Australian Institute of Administrative Law; Veterans' Affairs editor, *Administrative Law Decisions Service* and *Administrative Law Bulletin*; member, editorial board, *National Law Review*; special counsel, Phillips Fox Lawyers; director, Public Law Weekend conference; co-director, with P Sutherland, Inaugural Workshop for ACT Tribunals; speaker, 25th Anniversary Dinner of Office of Commonwealth Ombudsman; speaker and presented paper, Meeting in Perth of Australian Association of Constitutional Law; submission to Commonwealth Attorney-General's Department re National Judicial College of Australia; speaker, Australian Institute of Judicial Administration, Annual Conference on Tribunals; consultant and presenter, Department of Veterans' Affairs

KENT, Dr A., editorial board, *China Information* (Leiden)

MATHEW, Dr P., treasurer, Australian and New Zealand Society of International Law; member, editorial board, *Australian Yearbook of International Law*; faculty member, Advanced Refugee Law Workshop; faculty member, international law training course, Department of Foreign Affairs and Trade; submission on, and oral evidence to Migration Zone Excision Inquiry, Legal and Constitutional References Committee; panel member for ACT's Deliberative Poll on a Bill of Rights

McCRYSTAL, Ms S., president, Tenants' Union, ACT Committee; member, Welfare Rights and Legal Centre, ACT; committee member, Housing Review Committee - ACT Housing.

McDONALD, Mr L., member, executive committee, Australian Society of Legal Philosophy; reviews editor, *Australian Journal of Legal Philosophy*

McMILLAN, Prof. J.D., examiner PhD thesis, University of Sydney; external referee, *Sydney Law Review*, *Monash University Law Review*; seminar participant and presenter, Tilburg University, Netherlands, invited participant in International Workshop on 'Judicial Review and Bureaucratic Impact'; reviewer, South African National Research Foundation, review application by scholar for evaluation and rating; presenter, Norwegian Parliament Standing Committee on Scrutiny and Constitutional Affairs, presentation in Canberra to visiting delegation, 11 Sept.; president, Australian Institute of Administrative Law; member, editorial board, *Federal Law Review*, *AIAL Forum*; member, Federal Offenders Review Panel, Commonwealth Attorney-General's Department; consultant, Board of Taxation; consultant, Government Services Group, Clayton Utz on public law issues; member, Commonwealth Government Agencies Annual Reports Award Selection Committee, Australian Institute of Public Administration

MORGAN, Mr W., editor, *Sexualis Lex* (formerly *Australasian Gay and Lesbian Law Journal*); consultant, Tasmanian Government, Attorney General's Department; consultant, Gilbert and Tobin, solicitors, consultant to pro bono clients, UN Human Rights Committee cases and anti-discrimination cases

NOLAN, Mr M., forensic associate, School of Psychology, University of NSW; member, Australian and New Zealand Association of Psychiatry, member, Society of Australasian Social Psychologists; reviewer, *British Journal of Social Psychology* / *European Journal of Social Psychology*

PEARCE, Prof D., president, ACT Racing Appeals Tribunal; member, Copyright Tribunal; chair, ACT Cricket Association Independent Tribunal; executive member, Australian Institute of Administrative Law; chair, Independent Review of Breaches and Penalties in the Social Security System; editor, *AIAL Forum*, Administrative Law Service (Butterworths), Administrative Law Decisions (Butterworths); editorial boards, *Federal Law Review*, *International Ombudsman Yearbook*; referee, *Federal Law Review*, *Sydney Law Review*, *AIAL Forum*, *Aust Journal of Labour Economics*; witness, Senate Community Affairs References Committee on Social Security Bill; opening address, Defence Intellectual Property Seminar; papers presented, Department of Health and Aging Legal Section, Administrative Decisions Tribunal (NSW), ANU Law Faculty Contemporary Issues Seminar

RIDGE, Ms P., empirical research project, NSW Synod of the Uniting Church in Australia

RIMMER, Dr M., hosted visits from a range of international speakers: Mildred Cho, Research Fellow, Centre for Biomedical Ethics, Stanford University; Mary Footer, Deputy Director, Amsterdam Centre for International Law, University of Amsterdam; Dr Jagveer Sindhu, Director, The Asia & Pacific Seed Association, Thailand; board member, *Muse Magazine*; member, copyright and intellectual property committee, Australian Library and Information Association; member, Australian Digital Alliance, National Tertiary Education Union; reviewer, University of Toronto Press Inc., *Federal Law Review*, *Australian Aboriginal Studies*; involved in government discussions, including Environment Australia's Access to Genetic Resources scheme; ALRC's Inquiry into Gene Patenting; parliamentary debate, Stem Cell Research and Intellectual Property

SELBY, Mr H., instructor with USA's National Institute for Trial Advocacy, National Training Program; chair, Lyneham High School Board; joint editor, *Expert Evidence*; presenter, Forensic Medical Officers Workshop on expert evidence; referee, *Sydney Law Review*, *Melbourne University Law Review*

SEYMOUR, Adj Prof. J., member, research unit review committee; International Advisory Board, *New Zealand Bioethics Journal*; Canberra Hospital Clinical Ethics Committee; Research Ethics Committee, Australian Institute of Criminology; Victims Assistance Board of the Australian Capital Territory; submissions to Principles Based Review of the Law of Negligence (Ipps Committee); Review of the Law of Manslaughter in New South Wales; paper presented, Academy of Social Sciences in Australia Workshop, University of Melbourne

SHERMAN, Prof B., external examiner, University of Sydney, University of London; consultant, Environment Australia; co-authored (with R Burrell, Faculty of Law) AFFA Draft Policy Paper *Intellectual Property in the Rural Sector*; chair, Rural Research and Development Corporation

SPENDER, Ms P., panel member, book symposium on John Farrar, *Corporate Governance in Australia and New Zealand*; speaker and presenter, the *Corporations and Financial Regulation in the Digital Economy* Conference organised by Centre for Law in the Digital Economy (CLiDE), Monash University and Corporate Law Teachers Association at Monash University; referee, *University of New South Wales Law Journal*; *Federal Law Review*, *Australian Journal of Legal Philosophy*; presented conference paper, 'Deckchairs Overboard: Corporate Law and the Rhetoric of Corporate Governance', to the *Corporate Citizens in Corporate Cultures: Restructuring and Reform* Workshop, Osgoode Hall Law School, Toronto, Canada., sponsored by the Feminism and Legal Theory Project, Cornell Law School, Osgoode Hall Law School, York University and the University of British Columbia Faculty of Law; attended, committee of Australian Law Deans Meeting, Perth WA; member, Ainslie School Board; submissions to Ministerial Meeting on Public Liability Insurance regarding the law of negligence and litigation practice and the Review of the Law of Negligence by the Panel of Eminent Persons; liaised with, professional ethics committee, Law Council, regarding the appeal in the McCabe tobacco litigation; member, liaison committee, ANU, National Judicial College of Australia

STELLIOS, Mr J., secretary, International Commission of Jurists, Canberra Branch; assistant editor, *Federal Law Review*; Senate briefing (with Mr W Morgan), Senate Foreign Affairs, Defence and Trade Committee WTO General Agreement on Trade in Services

STEWART, Mr D.J., member, editorial committee, *Federal Law Review*; executive committee, Australian Law and Economics Association; Chair, board of management, ACT Welfare Rights and Legal Centre

WHEELER, Dr F.D., chair, ACT Advisory Panel, Australian Association of Constitutional Law; comments editor, *Public Law Review*; expert participant, Comparative High Courts Conference, University of North Texas

WEEKS, Prof P.C., member, external review panel, School of Law, University of Newcastle; chair Review of School of Law and Law Awards, University of New England; ANU observer, Council of the Law Society of the ACT; ANU representative, Burgmann College Council; member, National Committee of Management and Convenor of the ACT Chapter; chair, ANU Union Discipline committee; member, editorial committee, Australian Journal of Labour Law ; consultant on labour law matters, Phillips Fox.

Joint Research Projects

Participation in a workshop to discuss research directions for family law Dr J BEHRENS with Family Law Research Unit, Griffith University

International challenges to the Australian legal system: trade and human rights by Prof H CHARLESWORTH with Prof. George Williams, (UNSW)

Discussion Paper Royal Commission into the Building and Construction Industry, *The Law Relating to Industrial Action in the Building and Construction Industry* by Ms S McCRYSTAL with members of Faculty of Law, Monash University

Collaboration in research with ACIPA members at Griffith University by Dr M RIMMER with Dr K Bowrey and Prof. Jill McKeough (UNSW)

A joint program with Nan Kai University, Tianjin, China and Flinders University, SA by Mr W MORGAN lecturing in the off-shore Master of Arts (International Relations of Economy and Trade) program.

Research

Involvement with National Institutes

Members of the Faculty of Law are members of a wide range of the National Institutes, which in many ways cut across the discipline of law. However, the single most relevant Institute for law is the National Institute for Government and Law (NIGL).

Many activities in the Law Faculty were organised in 2002 in conjunction with NIGL. For example, the Centre of International and Public Law (CIPL) organised

- An evening lecture given by Dr Rita Hauser on 20 June entitled The USA and the UN: is there a future?
- The evening lecture given by John Dauth LVO, Australia's Ambassador to the United Nations on 24 July entitled Australia and the United Nations - letter from New York
- The fifth Geoffrey Sawer Lecture given by Judge Navanethem Pillay, President of the International Criminal Tribunal for Rwanda on 31 July
- The Comparative perspectives on Bills of Rights conference on 18 December

Other jointly badged activities included:

- Professor J McMillan - an inaugural professorial address to public seminar jointly organised by the Faculty of Law and (NIGL) "Twenty Years of Open Government—What have we learnt?".
- Mr D Stewart - "Standards and Intellectual Property Rights", Competition in Property Rights and Information Markets Workshop, Centre for Competition and Consumer Policy (RegNet) and NIGL.

New Grants

Name	Project	Type of Grant
Mr S Bronitt:	A comparative research project in Canada on undercover policing methods	Canadian Government: Canada Asia Pacific Award in Canadian Studies (CAPA)
Prof P Bailey	Anti-Discrimination Tribunals and the Courts	Faculties Research Grant
Prof H Charlesworth, Chief Investigator with Prof George Williams, University New South Wales	International challenges to the Australian legal system: trade and human rights	Australian Research Council:
Mr M Nolan	Perceptions of Advocacy, Judges Instructions and Trial Procedures by Mock Jurors	The Faculties New Starters Grant 2002 RMC Faculty of Law New Starters Grant 2002
Prof B Sherman Mr R Burrell Dr M Rimmer Mr AS Taubman	Gene Patents in Australia: Options for Reform	Australian Research Council Discovery Grant 2003–2005
Prof B Sherman Dr M Rimmer Industry Partner(s): Plant Breeder's Rights Office	Protection of Botanical Innovation: A legal analysis of the scope and operation of national and international plant breeder's rights.	Australian Research Council Linkage Grant 2003
Dr M Rimmer	Myriad Genetics: Patent Law And Genetic Testing	New Starter's Grant 2002:
Dr F Wheeler	The Use of High Court Judges to Discharge Non-Judicial Functions: A Centennial Analysis	ANU Faculties Research Grants Scheme
Prof B Sherman (Chief Investigator) co-workers: R Burrell; L Wiseman	Intellectual Property and the Rural Sector: Harvesting the benefits of science and technology	Australian Research Grant

Alumni

The Law Faculty's first Inaugural and Valedictory Lecture Series was held in 2002. Speakers included Professor John McMillan, Professor Jim Davis, Professor Tom Campbell, Professor Andrew Byrnes and Professor Phillipa Weeks. The lectures were open to the public and each lecture was attended by more than 100 people.

The Fifth Annual Faculty of Law Alumni Dinner was held on 2 November at the Brassey Hotel in Canberra. The guest speaker of the evening was Mr Jon Stanhope MLA, Chief Minister of the ACT and Alumnus of the ANU Law School. The event was attended by graduates representing students from all decades since the 60s.

Alumnus Gary Humphries (LLB 1983) has been appointed as the Senator for the ACT.