

Publications and Papers

Publications

Castan, M. & Kee, S. "Native Title" *Hot Topics*, State Library of New South Wales, 2004.

Debeljak, J. "The *Human Rights Act 2004* (ACT): A Significant, Yet Incomplete, Step Toward the Domestic Protection and Promotion of Human Rights" (2004) 15 *Public Law Review* 169 - 176.

Gaze, B. "The Sex Discrimination Act after 20 Years: Achievements, Disappointments, Disillusionment and Alternatives" (2004) 27 *University of New South Wales Law Journal* 914 - 921.

Gaze, B. "The SDA after Twenty Years: Achievements, Disappointments, Disillusionment and Alternatives", HREOC Web Site, at http://www.hreoc.gov.au/sex_discrimination/20thanniversary/women_work_equity/speeches/gaze.html

Joseph, S. *Corporations and Transnational Human Rights Litigation*, Oxford, Hart Publishing, 2004.

Joseph, S., Schultz, J. & Castan, M. *The International Covenant on Civil and Political Rights: Cases, Materials, and Commentary*, 2nd edition, Oxford, Oxford University Press, 2004.

Joseph, S. "Australian Counter-Terrorism Legislation and the International Human Rights Framework" (2004) 27(2) *University of New South Wales Law Journal* 428 - 453.

Kinley, D. "Lawyers, Corporations and International Human Rights Law" (2004) 25(10) *Company Lawyer* 298 - 302.

McSherry, B. "Criminal Responsibility, 'Fleeting' States of Mental Impairment and the Power of Self-Control" (2004) 27 *International Journal of Law and Psychiatry* 445 - 457.

McSherry, B. "Ethical Issues in HealthConnect's Shared Electronic Health Record System" (2004) 12(1) *Journal of Law and Medicine* 60 - 68.

McSherry, B. "Terrorism Offences in the Criminal Code (Cth): Broadening the Boundaries of Australian Criminal Laws" (2004) 27(2) *University of New South Wales Law Journal* 354 - 372.

Penovic, T. "Immigration Detention of Children: Arbitrary Deprivation of Liberty" (2003 - 2004) 7(2) *Newcastle Law Review* 35 - 48.

Penovic, T. "Children in Immigration Detention and the Law", Radio National *Perspective*, 29 March 2004, transcript of programme available on <http://abc.net.au/rn/talks/perspective/default.htm>

Penovic, T. "The Separation of Powers, *Lim* and the 'Voluntary' Immigration Detention of Children" (2004) 29(5) *Alternative Law Journal* 222 - 227.

Penovic, T. & Sifris, A. "Children in Immigration Detention: The Bakhtiyari Family in the High Court and Beyond" (2004) 29(5) *Alternative Law Journal* 217 - 221.

Penovic, T., Naylor, B. & Sifris, A. "Interest Rates in Human Suffering at an All-Time Low" (2004) 29(5) *Alternative Law Journal* 211.

Joseph, S. "Human Rights Committee: Recent Jurisprudence" (2004) 4 *Human Rights Law Review*, 277 - 294.

Papers

Afroz, T. "CEDAW and Legal Polygamy in Bangladesh - contending contradictions", *Challenge, Change and Cha Cha Cha - A Conference on Women, Feminism and the Law*, Womens' Legal Service (Qld), Brisbane, 26 - 28 October 2004.

Chambers, R., Kinley, D. and Joseph, S. Submission to the UN Office of the High Commissioner's review of UN's Human Rights Norms for Corporations 'Responsibilities of Transnational Corporations and Related Business Enterprises with Regards to Human Rights'.

Debeljak, J. "Human Rights in Limbo: Australians in Guantanamo Bay", presented at a Seminar held by Amnesty International Australia, Melbourne, 10 August 2004.

Debeljak, J. "The International Criminal Court", *Back to Basics* Seminar, Australian Red Cross Victoria, Melbourne, 20 July 2004.

Debeljak, J. "An Australian Bill of Rights", *Greens Forum*, Melbourne, 4 February 2005.

Gaze, B. "The Schou Case", Sponsors Seminar, Centre for Employment and Labour Law, University of Melbourne, Melbourne, 30 June 2004.

Gaze, B. "Quality Part Time Work - Does Law Require It?", *The Quality of Part-Time Work*, Centre for Applied Social Research Expert Workshop, RMIT, Melbourne, 19 July 2004.

Gaze, B. "Assessing the Sex Discrimination Act after 20 Years", *Women, Work and Equity*, Human Rights and Equal Opportunity Commission with Department of Work and Organisational Studies at

the School of Business, University of Sydney, 3 August 2004.

Gaze, B. "Work-Life Balance: Legal Requirements", *Building Industry Work-Life Forum*, Building Commission with the Work/Life Association, Melbourne, November 2004.

Gaze, B. "The Racial Discrimination Act and Social Change: Eliminating Racial Discrimination?", *Australian Lawyers and Social Change Conference*, Canberra, September 2004.

Gaze, B. Participation in two consultative round table discussions organised by the Victorian Law Reform Commission on its reference into *Workplace Privacy*, October and November 2004.

Kinley, D. "Human Rights and the Global Economy and the New Architecture of International Law", delivered to *Washington College of Law; University of Virginia, Charlottesville;* and *George Washington University*, October 2004.

Kinley, D. "UN's Human Rights Norms for Corporations", *Business for Social Responsibility Annual Conference*, New York, November 2004.

Kinley, D. "Peace and International Human Rights Law", *International Peace Program*, Xavier University, New Orleans, November 2004.

Kinley, D. "Human Rights in the Global Economy", *The Nodal and the Global*, Australian National University RegNet Conference, Canberra, December 2004.

Kinley, D. "Impact of the *Alien Torts Claims Act* in litigation against corporations", Washington College of Law, Washington.

Emerton, P. Supplementary Submission to Senate Legal and Constitutional Committee Inquiry into the Provisions of the National Security Information (Criminal Proceedings) Bill 2004 (Cth) and the National Security Information (Criminal Proceedings)

(Consequential Amendments) Bill 2004 (Cth).

Emerton, P. "Consent, Obligation and Permission", Paper presented to Conference of the *Australian Society for Legal Philosophy*, Melbourne University, Melbourne, 15 December 2004.

Joseph, S. "The Globalisation of Human Rights Law: Implications for Multinational Corporate Actors", *Bhopal 20 Years On: Corporate Responsibility for Human Rights Violations Today* Conference, University of Sydney, 1 December 2004.

Joseph, S. "Multinational Corporations and Human Rights", *Monash University Faculty of Law*, Melbourne, 24 November 2004.

Joseph, S. "US Alien Tort Claims Act: Legal Accountability for Human Rights Abuses", *Law Institute of Victoria*, Melbourne, 8 September 2004.

Joseph, S. "Humanitarian Intervention", *United Nations Association of Australia Mock UN Conference*, Deakin University, Melbourne, 4 September 2004.

Joseph, S. "Federalism: Commonwealth/State Relations" *Victorian Association of Social Studies Teachers*, Iwaki, Southbank, 17 March 2005

Joseph, S. "Human Rights Litigation and Corporations", *Blake Dawson Waldron*, Melbourne, 11 February 2005.

Kneebone, S. "Australia and the Pacific Region", *Regionalism and Forced Migration Workshop*, London, Institute of Commonwealth Studies, 28 May 2004.

Kneebone, S. "Recent Developments in Australia's Immigration Policies", *Essendon Community Centre Open Day*, Melbourne, 2 October 2004.

Penovic, T. "Children in Immigration Detention", *21st Annual Law and Society Conference:*

Societies and Laws: (Re)act? (Re)create? (Re)form?, University of Newcastle, 8 – 10 December 2003.

Native Title Representative Body Lawyer Professional Development Project

Melissa Castan, Associate Director of the Castan Centre, and the Law Faculty, are working with Richard Potok, Honorary Research Fellow, on a research project examining Native Title law and practice.

The research aims to gain an understanding of the challenges Native Title Representative Bodies (NTRB) lawyers face while representing the interests of native title claimants. The research evaluates appropriate strategies for developing training and professional development programs.

The project involved comprehensive research consultations with legal and managerial staff of NTRBs, as well as other professionals who work or otherwise deal with NTRB lawyers. Substantial background research was also undertaken.

The research project has the involvement and support of NTRBs across the country, Aboriginal Torres Strait Islander Services, the National Native Title Tribunal, the Federal Court of Australia, the Australian National University, the University of New South Wales, law firms Chalk and Fitzgerald, Arnold Bloch Leibler and Gilbert + Tobin, as well as several philanthropic foundations.

For more information please contact Richard Potok on – potok@bigpond.com.