

Publications by Centre Faculty Members

Melissa Castan

Article

M. Castan & D. Yarrow, 'A Charter of (Some) Rights ... for Some?' 31(3) *Alternative Law Journal* 132.

Conference Papers

D. Yarrow & M. Castan, 'The comparative constitutionalism of Indigenous-settler state relations: opportunistic borrowing?' *Federalism and the Rights of Indigenous Peoples: Comparative Perspectives and Strategies* Conference, Honolulu, Hawaii, January 9-11, 2007.

D. Yarrow and M. Castan, 'The Reception of American Judicial Theories of Indigenous Autonomy in New Zealand, Canada and Australia', *Federalism and the Rights of Indigenous Peoples: Comparative Perspectives and Strategies* Conference, Honolulu, Hawaii, January 9-11, 2007

Azadeh Dastyari

A. Dastyari, "Offshore Processing: An Australian Phenomenon", *Castan Centre 'Human Rights 2006: Year in Review' Conference*, 1 December 2006.

Julie Debeljak

Papers

J. Debeljak, 'Charter Mechanisms', presented at the Judicial College of Victoria Introduction to Human Rights Seminar, Melbourne, 19 February 2007

J. Debeljak, 'Prevention of Trafficking in Persons', (Presented at Workshop, Faculty of Law and Faculty of Arts, Monash University) 11 December 2006.

J. Debeljak, 'Background Paper: Australia's Response to Eradicating Trafficking in Persons' (Presented at the GAATW Workshop, Working Together to Prevent Human Trafficking, Bangkok, Thailand, 13-17 November 2006)

Conference Papers

J. Debeljak, 'Australia's Response to Trafficking in Persons: Background Paper', for the Global Alliance Against Trafficking In Women ('GAATW') Working Together to Prevent Human Trafficking Workshop, 13-16 November 2006, Bangkok, Thailand

J. Debeljak, 'Mission Impossible: "Possible" interpretations under the Victorian Charter and Their Impact on Parliamentary Sovereignty and Dialogue' (Presented at the Castan Centre

Conference Human Rights 2006: Year in Review, Melbourne 1 December 2006)

Other

J. Debeljak, Participant, Roundtable on the Victorian Charter of Rights, Human Rights Forum, University of Melbourne, 18 August 2006.

J. Debeljak, Participant, Australian Institute of Criminology, Trafficking of Women for Sexual Purposes: Barriers to Reporting and Engaging with Victim Services, Roundtable, Canberra, 28 July 2006

Participant, Global Alliance Against Trafficking In Women ('GAATW'), Working Together to Prevent Human Trafficking Workshop, Bangkok, Thailand, 13-17 November 2006;

Submission

J. Debeljak, 'How Human Rights are Currently Protected in Tasmania and Whether the Protection of Human Rights Can Be Enhanced or Extended?' submitted to the Human Rights Community Consultation Committee of the Tasmanian Government, December 2006, 1-35

Interviews

J. Debeljak, Interviews with stakeholders in Cambodia regarding Trafficking in Persons in the Asia-Pacific region, from 6 to 12 November 2006, organised with the help of World Vision Australia.

J. Debeljak, Interviews with stakeholders in Thailand, Laos and Cambodia regarding Trafficking in Persons in the Asia-Pacific region, across 15 days from January to February 2007, organised with the help of World Vision Australia and Cardno ACIL Pty Ltd.

Paula Gerber

Conference papers

P. Gerber, "The 4th R - Human Rights Education" *Castan Centre Conf. Dec 2006*.

P. Gerber, "From Convention to Classroom: the Long Road to Human Rights Education" *University of Melbourne Human Rights Education Conference*, 16 Feb 2007.

Sarah Joseph

Book

S. Joseph, *A Handbook on the Individual Complaints Procedures of the UN (OMCT,*

Geneva, 2006), co-authored with Katie Mitchell, Linda Gyorki, and Carin Benninger-Budel, 514 pages

Article

S. Joseph, 'Transnational Corporations and Indigenous Rights', (2006) 8 *Balayi: Culture, Law and Colonialism* 70-82.

S. Joseph, 'Committee against Torture: Recent Jurisprudence', (2006) 6 *Human Rights Law Review*, 571-577.

Submissions

Submission to the Parliamentary Joint Committee on Intelligence and Security *Review of the Listing Provisions of the Criminal Code Act 1995* Prepared by Professor Sarah Joseph and Ms Ena Hadzanovic

Susan Kneebone

Papers

S. Kneebone, Presentation to the Refugee Studies Centre, Oxford on 'Australia's Response to Trafficking Issues: Women as Agents, Refugees and Victims', 14 October 2006

S. Kneebone, paper entitled 'Trafficked Women and Refugee Protection' presented at workshop held at the Department of Criminology, Monash University, 11 December 2006

Conference Paper

S. Kneebone, 'Trafficking, Crime and Migration: a Proportionate Response? Australia, Canada and the UK Compared' delivered at the *Sex 'n Drugs 'n Shifty Roles: European and International Perspectives on Corruption, Organised Crime and Illegal Immigration Conference*, CERC University of Melbourne, 4 December 2006

S. Kneebone, Paper entitled "Effective Protection" and social and economic rights in Safe Third Countries' presented by invitation at workshop on *Protection Elsewhere: International law and the offshore processing and protection of refugees*, Faculty of Law, Melbourne University, 23 February 2007

Adam McBeth

A. McBeth, Invited to address a seminar of *BankTrack* (a group of NGOs campaigning on the social and environmental responsibility of financial institutions) in Nijmegen, Netherlands, on the topic of "The responsibility of financial institu-

Publications by Centre Faculty Members

tions for human rights violations”, November 2006.

Bernadette McSherry

Papers

B. McSherry, *High Risk Offenders: Continued Detention and Supervision Options*, Community Issues Paper (Melbourne: Sentencing Advisory Council, 2006), pp 1-56.

B. McSherry (with A David, K Gelb, V Moore and F Stewart), *High Risk Offenders: Post-Sentence Supervision and Detention, Discussion and Options Paper* (Melbourne: Sentencing Advisory Council, 2007), pp 1-222.

Pamela O'Connor

P. O'Connor, 'The Private Taking of Land: Adverse Possession, Encroachment by Buildings and Improvements under a Mistake of Title' (2006) 33(1) *UWAL Rev* 31-62.

Tania Penovic

Submission

T. Penovic and S. Kneebone, Submission to Senate Legal and Constitutional Affairs Committee, *Inquiry into the provisions of the Migration Amendment (Review Provisions) Bill 2006*, January 2007

Paper

T. Penovic 'Refugee Processing and Mental Health: How far does the duty of care extend?' presented to La Trobe Refugee Health Research Centre at the Victorian Foundation for the Survivors of Torture on 28 March 2007.

Conference paper

T. Penovic 'False Imprisonment as a surrogate claim for promoting personal liberty' *Compensation Torts and Immigration Detention conference*, Melbourne, 30 March 2007

David Yarrow

Article

M. Castan & D. Yarrow, 'A Charter of (Some) Rights ... for Some?' 31(3) *Alternative Law Journal* 132.

Conference Papers

D. Yarrow, 'The landmark case that wasn't – Cooper v Stuart and the jurisprudence of complacency', paper presented at the *Landmarks in Legal History Conference*, 25th annual conference of the Aus-

tralian and New Zealand Law and History Society, Hobart, Australia, December 8-10, 2006.

D. Yarrow & M. Castan, 'The comparative constitutionalism of Indigenous-settler state relations: opportunistic borrowing?' paper presented at the 'Federalism and the Rights of Indigenous Peoples: Comparative Perspectives and Strategies' Conference, Honolulu, Hawaii, January 9-11, 2007.

D. Yarrow and M. Castan, 'The Reception of American Judicial Theories of Indigenous Autonomy in New Zealand, Canada and Australia', paper presented at the 'Federalism and the Rights of Indigenous Peoples: Comparative Perspectives and Strategies' Conference, Honolulu, Hawaii, January 10, 2007

About Our Directors

Professor Sarah Joseph (Director):

Sarah is currently teaching international human rights and conducting training for the Victorian Human Rights and Equal Opportunities Commission and Judicial College.

Melissa Castan (Deputy Director):

Melissa is continuing her work on professional development in Native Title Representative Bodies.

Dr Julie Debeljak (Deputy Director):

Julie is currently focussing on her ARC Linkage Grant on 'Australia's Response to Trafficking in Persons'.

Paula Gerber (Deputy Director):

Paula is completing her PhD and preparing to take maternity leave. Recently she has devised the new mooting competition and the human rights database.

Professor Susan Kneebone (Deputy Director):

Susan is teaching citizenship and migration law at undergraduate level and forced migration and human rights at postgraduate level.

Adam McBeth (Deputy Director):

Adam is completing his PhD and teaching International Human Rights Law. He is also conducting human rights training for the Department of Foreign Affairs and Trade.

Castan Centre Advisory Board

Professor Philip Alston, New York University School of Law.

Professor Virginia Dandan, Chair, UN Committee on Economic, Social and Cultural Rights.

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