

Rapporteur Q&A



Eight questions for Dr Stephen Gray

As a new Castan Centre associate, what are you looking forward to most?

I don't want to sound like an ambulance-chaser, but something related to the Apology and the NT Intervention, or human rights and free speech in Asia perhaps. Also finishing and publishing my book on the Apology/stolen wages debate.

What did you do prior to coming to Monash?

I worked at Charles Darwin University, teaching criminal law, Indigenous legal issues, mining law, jurisprudence and being a jack of all subjects, as you tend to do up there.

What area of human rights law are you most passionate about?

It would have to be Indigenous legal issues – mostly Aboriginal art and the stolen wages/stolen generation issue.

What do you enjoy most about teaching?

I like speaking and communicating ideas. Other than that, when you realise afterwards you've actually had an effect on what a person thinks or does with their life.

What has been the highlight of your career thus far?

It's the process of working on something and being totally immersed in it that I enjoy the most. And then coming out and seeing that it really has had an effect. Highlights? Publishing my books, and top scoring in the NT Bar Association vs Law Society annual cricket match (no prizes for guessing which of these led the scions of the NT legal profession to suddenly know who I was).

You have written a book on criminal law as well as a novel. Why did you decide to write a novel and what is it about?

I have always had a love for fiction – story-telling can do a lot that is outside the range of straight analytical discussion. The novel was called *The Artist is a Thief*. It's set on an Aboriginal community in the NT, and was an attempt to use the crime detective genre to explore philosophical ideas – my ideals in this genre being books like Eco's *The Name of the Rose* and Iain Pears' *An Instance of the Fingerpost*.

If you could give your students one piece of advice what would it be?

Keep working, but try to stay open to new ideas and the insight that comes from the unexpected direction. To be honest most of today's students seem much more balanced and mature than I ever was.

What is your favourite sport and why is it your favourite?

Cricket, for the elegance and poetry of the thing (note to Dave Warner: it's not baseball).

Questions for our In-House Interns

What is your motivation for undertaking the internship?

Olivia Barnes: The opportunity to work with the Castan Centre during such an encouraging time for human rights really appealed to me. The introduction of the Victorian Charter of Human Rights, and the impending National Human Rights Consultation, are both examples of how Australians are increasingly becoming aware of their human rights obligations.

Tom Guan: I feel strongly about human rights abuses around the world, I think it is very cowardly for people in power to abuse people who can rarely fight back. Many governments act no better than school yard bullies.

What did you do during your internship?

Lisa Lee: Mainly, researching and writing. For example, writing case notes for the Oxford University Press online human rights database, assisting with the Sex Discrimination Act 1984 (Cth) Senate submission, reporting on a Castan Centre seminar, researching on the Inter-American Court system, and other tasks.

Olivia Barnes: Our main project was to create a teacher's kit for the Castan Centre's VCE essay writing competition. This included researching and writing introductions for general human rights issues and specific, youth related human rights topics. I also wrote case notes for Oxford University Press database of international law decisions.

What human rights issue interests you the most?

Samantha Jeans: I am very interested in the human rights of women and children, especially in cases where people claim that their culture demands that certain human rights are denied or abused.

Kasia Wawrzykowska: Generally, social justice, but in particular economic, social and cultural rights. It seems civil and political rights get all the press, but I think it is the economic, social and cultural rights which require the most urgent international attention, especially in a time of economic crisis.

Tom Guan: Torture, unfair trials and wars of aggression interests me; again they reveal the cowardice of governments in picking on a weaker party. These crimes really bring out the worst in humanity, and yet governments still do it without any second thought.

Courtney Guillatt: As a psychology student, I have a strong interest in the rights of individuals experiencing

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mental health issues. Mentally ill individuals and their carers often experience a high degree of disadvantage and even discrimination in the community, due to stigmatic perceptions of mental illness.

Alyse Richmond: My greatest passion is for the rights of refugees and asylum seekers. When there is so much conflict in the world and so many people facing danger and being displaced, I think it is fundamental that we acknowledge people's right to protection and to seek asylum under international law.

Erin Collins: A particular field of interest for me is the effect of human rights abuses on children. I would love to see a more secure and safe world, hopefully with greater achievements through instruments in place, so that these children no longer have to suffer the abuses. To date I still find that my most compelling area is child soldiers, although I have a keen interest in most areas of human rights that affect the lives of children.

What community work experiences have you had?

Jane Barnett: I volunteer with YRIPP

(Youth Referral Independent Person Program).

Lisa Lee: I volunteered at various community legal centres. After completing my undergraduate law degree, I worked for a few years in the private legal sector before transitioning to the public legal sector. I am presently also undertaking my postgraduate studies at Monash.

Courtney Guillatt: I volunteer once a week with the Association of Relatives and Friends of the Emotionally and Mentally Ill as a telephone support worker. I am also undertaking a placement at the Family Law Assistance Program at Monash-Oakleigh Legal Service.

Alyse Richmond: Over the Summer I volunteered at the Loddon Campaspe Community Legal Centre. Currently, I am undertaking volunteer work at Springvale Monash Legal Service, UNOH Foodbank in Noble Park, the Sudanese Australian Integration Learning Program in Dandenong, and am hoping to get involved with the Asylum Seeker Resource Centre. At the start of 2008 I did a community development project in a remote village in Thailand.

What inspires or drives you about human rights?

Erin Collins: I think that we are so privileged in Australia to have such a wonderful recognition of the rights of individuals. I wish that these rights could be afforded equally to individuals all over the globe. I think that growing up in South Africa has shown me how human rights abuses so deeply affect an entire nation.

What do you hope to do in the future?

Samantha Jeans: I'm looking to do a traineeship next year, hopefully at a firm with a good pro bono program. At some point I would love to work in the human rights field, possibly in a government position.

Jane Barnett: I want to find a job which allows me to travel and help people, though not necessarily in a legal capacity. I'm not exactly sure, but maybe working with an NGO or international organization like the UN, or as a diplomat...I have lots of ideas!

Publications and other activities by centre faculty members

Melissa Castan

Article

'Charter Rights: Self-Determination for Indigenous Victorians', *Indigenous Law Bulletin* (2008) 9-13 (with D. Yarrow)

Julie Debeljak

Article

'Balancing Rights in a Democracy: The Problems with Limitations and Overrides of Rights under the Victorian Charter of Human Rights and Responsibilities Act 2006' (2008) 32 *Melbourne University Law Review* 422-469.

Training

Human Rights Trainer for the Victorian Bar Inc and the Victorian Bar Charter Working Group, Charter Workshop – Theory and Practice, Practical Training for Victorian Barristers on the Victorian Charter, 7 and 14 February 2009

Paula Gerber

Book

From Convention to Classroom: the Long Road to Human Rights Education, (VDM Publishers, Germany, 2008)

Chapter

'Scientific Experimentation on Animals: Are Australia and New Zealand Implementing with the 3Rs?' in Peter Sankoff and Steven White (eds), *Animal Law in Australasia: A New Dialogue*, (Federation Press, 2009).

Submission

Submission to the Parliament of New South Wales Legislative Council Standing Committee on Law and Justice on the Inquiry into Adoption by Same Sex Couples, (with A. Sifris and A. Richmond).

Sarah Joseph

Book

Human Rights Translated: A Business Reference Guide, co-authored with Rachel Chambers (Castan Centre), Lucy Amis (International Business Leaders Forum) and Lene Wendland (UNHCHR) (UN Global Compact, 2008), 164 pages

Chapter

'Liability of Multinational Corporations: International and Domestic Laws and Procedures', in Malcolm Langford (ed) *Social Economic Rights Jurisprudence: Emerging Trends in International and Comparative Law* (Cambridge University Press, 2008), pp. 613-627

Article

'The Human Rights Record of the Howard Government', (2008) 27 *Australian Yearbook of International Law* 45-67

Other publication

'A Federal Bill of Rights', speech at Community Observance of the Opening of the Legal Year, published at www.vic.icj-aust.org.au and by the International Commission of Jurists (Australia)

Paper

'Human Rights and Investment Arbitration', Kirby Lecture Series, University of New England Faculty of Law, Armidale, NSW, 4 November 2008.

Submission

Submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade, 'A Human Rights Mechanism for the Asia Pacific', (with A. McBeth and E. Contini), November 2008

Annegret Kaempf

Article

'The UN Convention on the Rights of Persons with Disabilities and its Consequences for Mental Health Laws in Australia' (2008) 26(2) *Law in Context* 10-36.