**DEAKIN LAW SCHOOL RESEARCH REPORT**

**(No 1 of 2013)**

*Best wishes for 2013!*

In terms of research, thanks to your achievements, the year hasbegun very propitiously.

**GRANT FUNDING SUCCESSES**

**Congratulations to our colleagues:**

**Professor Jean du Plessis** who received the Anneliese Maier Research Award from the German Alexander von Humboldt Foundation (see <http://www.humboldt-foundation.de/web/anneliese-maier-award.html>).

The award of EUR 250,000 over 5 years (EUR 50,000 per year; 2013-2017), recognises Jean’s potential to assist Germany with the further internationalisation of their corporate governance model.

Jean was nominated for this award by Professor Ingo Saenger, Director of the Institute for International Business Law at the University of Muenster, who visited our Law School in October 2012.

**Dr Lucinda Jordan** who has been awarded a grant of $36,106 for 2013 by the Alfred Felton Bequest (ANZ Trustees) to examine access to justice for women and children survivors of family violence in regional Victoria. This will expand the Centre’s current research examining these issues in the Geelong region which was funded by the Geelong Foundation.

If you intend to apply for external grants, please contact **Dr Aysun Alpyurek** (aysun.alpyurek@deakin.edu.au), who, as the Faculty Grants Officer will provide you with assistance in drafting the application, compliance, etc.

**STANDING REQUEST**

**Could you advise me (with cc to Suzie Miller) of any External Research funding you hold for 2013 and beyond?**

The format is as follows:

**Title**

**Source**

**Staff Member**

**RECENT PUBLICATIONS**

**Congratulations to the authors of the following recent publications:**

**Lang Thai** and Matt Berkahn, “Statutory Derivative Actions in Australia and New Zealand: What can we learn from each other?” (2012) 25 *New Zealand Universities Law Review* 370-401

**Troy Kelly**, ‘Oklahoma Outlaws Foreign & International Law: The Impact on International Trade Law of America’s Emerging Anti-foreign and International Law Contagion’ (2012) 16(1) *Vindobona Journal of International Commercial Law and Arbitration*

**The importance of the timely reporting of publications for the HERDC submission**

All universities in Australia get points based on the number of A1/B1/C1 and E1 publications that they report to the government as part of their HERDC submission. The government then allocates funds based on the number of reported publications.

Data is collected annually, and Deakin University finalises its submission in the early part of the following year. With this in mind, it is critical that you report your publications as soon as they appear.  If you miss the submission deadline, Deakin will not receive any points and, consequently, will not receive any money for your publication.

Consequently, any publications where you have a Pdf of the journal article/book/book chapter (or a scanned version of the hardcopy), should be sent, along with any other required evidence, and the completed proforma (attached) containing the 6-digit FOR and SEO codes to **Dr Aysun Alpyurek** (aysun.alpyurek@deakin.edu.au).

When you publish articles in Law reviews, inter-disciplinary publications, or journals from other disciplines, please pay particular attention to the **Research Coding** requirement:

1. FOR code (Fields of Research code <http://deakin.edu.au/research/grants/resources/for-2008-codes.php> (scroll down to Law)
2. SEO code (Socio-Economic Objective code <http://deakin.edu.au/research/grants/resources/seo-2008-codes.php> (scroll down to Law)

Completion of these codes ensures that your publications are assigned to the School of Law by the University and ERA.

Moreover, the correct code also ensures that when your grant application is assessed by ERA, or when the Law School is audited by ERA, the particular publication will be reviewed by the panel with expertise in the relevant area (rather than by a group of non-lawyers, for example).

It is anticipated that Deakin will be finalising the HERDC submission in late January/early February 2013.

Publications must meet the HERDC definition of research

The link to the Faculty instructions of reporting research publications: <http://deakin.edu.au/buslaw/research/publications.php>

‘The Faculty’s position is that it is not recording non-HERDC reportable items (ie., those outside of A1/B1/C1) on DRO. You may wish to discuss this matter further with your Head of School and if they determine that your non-HERDC items are significant (ie. would be included in the ERA submission for your discipline), then these may be recorded by submission to the Faculty in the usual way. Otherwise, you can record all of your publications on your CV and make this available on your staff profile page.’

Bronwyn Kelly, Manager, Research Administration, Bus & Law - Faculty Research Office

Federal Government does not fund non-HERDC publications. Consequently, as a general rule, non-HERDC items posted on the DRO with the permission of the Head of School are un-funded and **do not** attract DEST points (HERDC classifications are Federal Government’s policy).

However, the Law School’s approach to this issue is flexible, and the SMT may award bonus funding for non-HERDC publications, which it deems to be of importance to the intellectual profile of School.

Some colleagues still refer to ERA Journal rankings. *Journal rankings have been discarded by ERA, and the University*.

They are considered anachronistic and of little value in determining research quality of the actual publication.

ERA Law panels focus on the *quality of the actual research publications* – their scholarship, originality and contribution to the new knowledge.

When assessing the quality of the individual publication, the ERA Panels and within the Law School, the SMT members are asking:

does this article, book or book chapter s*ubstantially* contribute to the knowledge in the relevant field?

Consequently, when characterising your publications, please refer to the above criteria.

**Research & HDR Information**

**1 ARC Information Session at Deakin**

Professor Marian Simms, the Executive Director for Social, Behavioural and Economic Science of the Australian Research Council (ARC) will be visiting Deakin Waterfront on Thursday 14 February 2013.  Marian will be providing information on Scheme updates and some updated data on 2013 results.  She will also be available to take questions.

Date: Thursday 14 February 2013

Time: 10:30am – 11:30am

Venue: Percy Baxter Theatre (D2.193)

An “event” has been created to record registrations, at <http://www.deakin.edu.au/research-services/events/>

The event is listed under "Grants events" and is titled "[Update on ARC Funding Schemes](http://www.deakin.edu.au/research-services/events/event.php?event_id=787)".  Please register to attend, to ensure a place

**2 Writing for Refereed Publication**

Professor Gael McDonald, Pro Vice-Chancellor, Faculty of Business and Law, is invitingall staff interested in improving their academic writing skills to submit an expression of interest to participate in the program: ‘Writing for Refereed Publication’.  The program begins next month for Faculty staff at all campuses.

‘The key goal of the program is to support academic staff to prepare a paper ready for submission to a peer refereed journal.  Additional outcomes are improved confidence and competence in writing and increased knowledge of the higher education journal publication process.

The evaluation of the 2012 program showed that 70% of people who completed the program achieved at least one publication.  Several participants achieved multiple publications.  Participants were unanimous in finding benefit from the regular writing sessions, gaining and giving feedback to colleagues and working with an experienced facilitator to gain new skills in the writing process.  One participant said a benefit of the program was… "Thinking about the various ways in which to write, combined with strategies for changing behaviour, make for a great course”.

The writing program will consist of 12 one and a half hour meetings on a Friday between 12:30 – 2pm starting on February 22nd, 2013.

The sessions address the steps needed to bring a research project to refereed publication.  Each session includes a mixture of discussion, reflection, writing and planning.  Participants will have an opportunity to provide and receive peer feedback on drafts of their abstracts and full papers.  Individual advice and feedback to each participant will also be provided on request.

The main reference is: Belcher, W. L. (2009) ‘Writing your journal article in 12 weeks – a guide to academic publishing success’ Los Angeles, Sage  [http://www.amazon.com/Writing-Your-Journal-Twelve-Weeks/dp/141295701X/ref=cm\_cr\_pr\_product\_top](http://www.amazon.com/Writing-Your-Journal-Twelve-Weeks/dp/141295701X/ref%3Dcm_cr_pr_product_top).  You are welcome to buy your own copy (many people do) but some copies are available for loan by participants.  Belcher is available from the Book Depository for around AUD$40 for those who shop online.  NOTE: The electronic version of this book is not recommended as several participants have found it difficult to use.

The program will encourage collaborative writing, e.g. two Deakin staff working on a paper together.  The first author on any co-authored paper must be a Deakin staff member.  Participants must have something to write about; i.e. a completed or near-completed project with ethics clearance, data gathering, etc. already done.’

The dates for the **Writing for Refereed Publication** (T1 2013) are:

|  |  |  |
| --- | --- | --- |
| **Week** | **Date** | **Time** |
| Week 1 | Friday 22 February | 12:30 – 2pm |
| Week 2 | Friday 1 March  | 12:30 – 2pm |
| Week 3 | Friday 8 March | 12:30 – 2pm |
| Week 4 | Friday 15 March | 12:30 – 2pm |
| Week 5 | Friday 22 March  | 12:30 – 2pm |
| No seminar | Friday 29 March [Good Friday] | No seminar |
| Week 6 | Friday 5 April | 12:30 – 2pm |
| Week 7 | Friday 12 April | 12:30 – 2pm |
| Week 8 | Friday 19 April | 12:30 – 2pm |
| Week 9 | Friday 26 April | 12:30 – 2pm |
| Week 10 | Friday 3 May | 12:30 – 2pm |
| Week 11 | Friday 10 May | 12:30 – 2pm |
| Week 12 | Friday 17 May | 12:30 – 2pm |

If you would like to be considered for inclusion in this Program, please send an email to Gloria Stevenson indicating that:

1. you are free and able to and will attend all the sessions on the dates listed above (and at which campus); and
2. you have the required project/work for writing up.

Please respond by Monday 4th February at the latest so the appropriate room bookings can be made and to ensure that books can be issued as there is reading to be done before the first session.

Bookings and further information can be obtained from Gloria Stevenson (Administrative Officer, Bus & Law - Faculty Research Office) by email Gloria.Stevenson@deakin.edu.au or telephone **522** **72566**.

**3 Important changes** **to the human research ethics processes**

**Changes to pre-review service**

Previously, all human research ethics applications submitted for review by DUHREC were automatically pre-reviewed by an ethics advisor. This provided researchers with an opportunity to make changes to their applications before they were sent out for review by the Committee. As of 2013 applications will **no longer automatically undergo a pre-review**. Instead, there will be an optional pre-review service, before and separate from submission of an application for a meeting.

Researchers may request a pre-review by **submitting their complete draft application** **to** **research-ethics@deakin.edu.au**by the [Pre-Review Request Deadline](http://www.deakin.edu.au/research/integrity/human/deadlines.php). They will receive an email outlining any ethical issues identified by the ethics advisors prior to the [Submission Deadline](http://www.deakin.edu.au/research/integrity/human/deadlines.php) so that changes can be made before the application is submitted.

Please note:

* + Applications emailed after the pre-review request deadline will not receive a pre-review. They may still be submitted for review by DUHREC without having undergone a pre-review, or they can be held over for pre-review before the next deadline and submitted to a later meeting;
	+ Submission for pre-review is separate from application to DUHREC. Whether or not an application underwent a pre-review, all new applications must be formally submitted via the [online submission tool](http://www.deakin.edu.au/research/integrity/human/application-submission/) before the Submission Deadline in order to be considered by the Committee.

**Change of deadlines for submission**

As of 2013 the Submission Deadlines for all new DUHREC applications have been extended to fall closer to the DUHREC [Meeting Dates](http://www.deakin.edu.au/research/integrity/human/deadlines.php). This will provide researchers with more time to prepare their applications prior to submission and allow for the separate pre-review process. As a consequence, **the Submission Deadline will be very strict from 2013 with no further extensions possible**. Any application submitted after the Submission Deadline will be referred to the following meeting.

**No pre-meeting notification of comments**

Previously, many researchers were provided with the opportunity to respond to requested amendments or clarifications prior to the DUHREC meeting and occasionally researchers were invited to attend the meeting to discuss their projects where the issues under consideration were complex. As of 2013, **no pre-meeting letters will be issued and researchers will not be invited to attend the meeting to discuss their projects**.

The above changes have become necessary due to effective staffing cuts within the ethics office. In considering possible ways to respond to these cuts, we have made every effort to minimise the impact on our researchers. However, we recognise the possibility that these changes may lead to slightly longer approval times overall. We sincerely regret any negative impact this may have on research timelines and we welcome any feedback regarding these matters. We trust that the research community will understand that given diminishing resources, there is a limit to the level of support we are able to provide. However, you should be assured that we will continue to do everything possible to support researchers at Deakin.

*With kind regards,*

*Danuta Mendelson*