**DEAKIN LAW SCHOOL RESEARCH REPORT**

**(No 3 of 2013)**

**RECENT PUBLICATIONS**

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

**Kenneth J Arenson,** 'Rape in Victoria as a crime of absolute liability: a departure from both precedent and progressivism' (2012) 76 *Journal of Criminal Law*, 389-410 (http://dro.deakin.edu.au/view/DU:30050490).

**Louis de Koker**, ‘Identifying and Managing Low Money Laundering Risk: Perspectives on FATF’s Risk-Based Guidance’ in Navin Beekarry (ed), *Combating Money Laundering And Terrorism Finance: Past And Current Challenges* (Edward Elgar, 2013) (first published as Louis de Koker, ‘Identifying and Managing Low Money Laundering Risk: Perspectives on FATF’s Risk-Based Guidance’ [2009] 16(4) *Journal of Financial Crime* 334) [http://www.e-elgar.com/bookentry\_main.lasso?id=14196](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=lfsNCHMB70-aZrymSmG5N3KbNv0g3s8IDtZYDSfuu_gQdWpxUsEEfurfWuiV9vqT7X3E3VDVhCQ.&URL=http%3a%2f%2fwww.e-elgar.com%2fbookentry_main.lasso%3fid%3d14196)

**RESEARCH IMPACT**

**Louis de Koker** together with Jane Winn co-edited special edition of the Washington Journal of Law, Technology and Arts. It contains eleven papers contributed to a conference held at the University of Washington School of Law on April 20, 2012. The conference, titled **Mobile Money in Developing Countries: Financial Inclusion and Financial Integrity**, was organized by the University of Washington School of Law with the support of the Linden Rhoads Dean’s Innovation Fund, Deakin University School of Law, Australia, and the United Nations Commission on International Trade Law (UNCITRAL).

The conference provided an early opportunity to analyze the impact of the newly-released revised 2012 Financial Action Task Force (FATF) Recommendations on mobile money. These Recommendations were published in February 2012, and represent the most recent version of global standards for national anti-money laundering (AML), counter-terrorist financing (CTF), and proliferation financing efforts. The conference focused on the trade-off between financial inclusion as a development strategy and financial integrity as a goal of prudential regulation and law enforcement, with specific reference to mobile money initiatives in developing countries and the new 2012 FATF standards.

K & L Gates (formerly Middletons, pre-merger) has asked for permission to re-publish **Benjamin Hayward** and William KQ Ho, "Balancing the Scales: The Standard of Reasons required in Commercial Arbitration and Litigation in Australia" (2012) 78 *Arbitration* 314

**MESSAGE FROM BRONWYN KELLY RE HERDC POINTS**

Dear Colleagues

Attached is a report on HERDC points currently recorded for 2012 dated research publications, as at 10am on 15 February 2013.

I note that DRO staff have a processing backlog at present, which is always the case at this time of year.

Earlier this week a reminder was sent to all BusLaw staff to report 2012 publications as soon as possible, *and to check that their publications record is complete and correct*.

Check the publication reports online for an individual here:

[**http://www.deakin.edu.au/research/admin/pubs/reports/database/dynamic/output/search/index.php**](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=gmAHONKYMUOnMZywDghIP0gBks2d3s8ITtXyEuAdRUU9zvS3pmlIsGdPBIN0bHrsz4qIdmr5A58.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch%2fadmin%2fpubs%2freports%2fdatabase%2fdynamic%2foutput%2fsearch%2findex.php)

Check the publication reports online for a School here:

[**http://www.deakin.edu.au/research/admin/pubs/reports/database/dynamic/output/school**](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=gmAHONKYMUOnMZywDghIP0gBks2d3s8ITtXyEuAdRUU9zvS3pmlIsGdPBIN0bHrsz4qIdmr5A58.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch%2fadmin%2fpubs%2freports%2fdatabase%2fdynamic%2foutput%2fschool)**/**

Publications which have only recently been submitted will take a few days to be entered and then to be processed by DRO.  Instructions for reporting are here: [**http://www.deakin.edu.au/buslaw/research/publications.php**](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=gmAHONKYMUOnMZywDghIP0gBks2d3s8ITtXyEuAdRUU9zvS3pmlIsGdPBIN0bHrsz4qIdmr5A58.&URL=http%3a%2f%2fwww.deakin.edu.au%2fbuslaw%2fresearch%2fpublications.php)

Regards

**Bronwyn Kelly,** Manager, Research Administration, Faculty of Business & Law

**LAW SCHOOL RESEARCH SEMINARS SCHEDULE**

**Trimester 1**

**FRIDAY, 8 MARCH 2013**

**Louis de Koker**

Revised 2012 standards of the Financial Action Task Force for combating money laundering (FATF) or debarment.

**FRIDAY 15 MARCH 2013**

**Martin Hardie**

Doping and surveillance

**FRIDAY, 22 MARCH 2013 1 to 2pm**

**Rens Scheepers**

Scoping Session on Social Media: interface of information systems and the law

INTRA-SEMESTER BREAK

**FRIDAY, 19 APRIL**

**Danuta Mendelson**

Opioid Prescriptions and the Law

**FRIDAY, 26 APRIL**

**Benjamin Hayward**

**Please contact me if you would like to present a seminar**

**RESEARCH HUBS**

**Torts, Personal Injury, Jurisprudence & Economics Research Hub** will meet on **Wednesday, 13 March 2013** at **10 am**

Moot Court in Burwood with video-link to Warrnambool and Geelong

Topic to be announced

**HDR SUPERVISION**

While all Professors and Associate Professors are expected to supervise HDR candidates (and become credentialed), colleagues at Level A, B and C who have PhD may consider completing the Fast Track Supervisor Training Program. Supervision is intellectually stimulating and such qualification will do your cv no harm.

How to become a HDR Supervisor at Deakin is detailed at: [http://www.deakin.edu.au/research/supervision/pages/how-to-become-a-supervisor.php](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch%2fsupervision%2fpages%2fhow-to-become-a-supervisor.php)

Details of the Fast Track Supervisor Training Program are at: [http://www.deakin.edu.au/research/admin/ecr/documents/fast-track-program.pdf](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch%2fadmin%2fecr%2fdocuments%2ffast-track-program.pdf)

The next workshops for HDR Supervisors are listed here -

[http://www.deakin.edu.au/research-services/events/index.php](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch-services%2fevents%2fevent.php%3fevent_id%3d477)

**EXTERNAL GRANTS**

**GEELONG FOUNDATION**

**Grants for 2013 now open**

"We invite applications from charitable or welfare not for profit organizations, which are Income Tax Exempt and endorsed as Deductible Gift Recipients, to fund new projects and programs for the benefit of the community across Geelong, Queenscliffe, the Surf Coast and Golden Plains shires.

Grants cover a range of community needs and interests such as education, training, research, community wellbeing and support for the aged, families, health, youth and the arts."

http://geelongfoundation.org/

**FACULTY RESEARCH GRANTS FOR 2013**

Applications are now invited for the second round of Faculty Research Grants for 2013, for grant amounts between $5,000 and $10,000.

The deadline for applications in this round is **Wednesday 6 MARCH 2013**.  
  
Your **application must be submitted to your Associate Head of School (Research) by this date**, as the AHoSR must certify that -

*This application has been reviewed prior to submission and judged to be of a standard appropriate for consideration by the Faculty Research Committee.*

Applications which have been peer reviewed, signed and endorsed by the AssocHoSR and the Head of School, will then be lodged by the AHoSR with the Faculty Research Committee.

The guidelines and application form are available from the Faculty Research website at:

[http://www.deakin.edu.au/buslaw/staff-only/research/frg.php#FacultyResearchGrants](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=lLLAoJb-Aky1mAM2gW-6gatROjpl2M8I_k31tpPphyGmUkOsrVnBLV21mCIt1kW6SJ0jEgE2Oio.&URL=http%3a%2f%2fwww.deakin.edu.au%2fbuslaw%2fstaff-only%2fresearch%2ffrg.php%23FacultyResearchGrants)

Future applications for funding will not be considered where reports which are due, have not been submitted.  A copy of the previous report/s must be provided with any new application.  
  
The Faculty Research Committee will meet to consider applications and the reviewer reports on 24 April 2013 – results will be advised shortly after.  
**Purpose of the Grant**

Faculty Research Grants are available to staff to undertake research in business and law generally.

Faculty Research Grants will be expected to achieve the successful administrative and academic completion of a discrete research project, research publications and where appropriate research applications for an Australian Research Council or other external research funding.

Schools may be required to refund the amount of a grant if the specified outcomes of the funded research activity are not achieved.

Priority will be given to applications which:

* are clearly related to Faculty and/or School scholarly interests
* provide a viable and well justified plan, schedule and budget related to the outcomes
* have been peer reviewed, including review by the appropriate Associate Head of School (Research), and include a statement to that effect.

**Value of Grant**

Funding is normally in the range of $5000 - $10,000. Recipients of Faculty Research Grants are required to seek approval from the Associate Dean (Research) for any deviation from the approved budget presented in the application

**Eligibility**

Academic staff members in the Faculty of Business and Law who are appointed at Level A to C and are employed at a fraction of 0.5 or greater on a continuing basis are eligible to apply. Early Career Researchers are invited to identify themselves as such on the application. The definition of an Early Career Researcher (ECR) is based on that used by the ARC (*Early Career Researchers (ECR) are researchers who are within five years of the start of their research careers when they submit their applications. This normally means that you have been awarded a PhD or equivalent research doctorate within five years. If your PhD was awarded more than five years ago, but your research career has been interrupted, you may request a determination of your eligibility as an ECR. Research career interruptions could include non-research employment, misadventure, illness, or family and carer responsibilities*.)

**Application Process**

Applications are to be made using the [Faculty Research Grant Application Form [128KB DOC]](https://www.deakin.edu.au/buslaw/staff-only/research/docs/frg-app-270309.doc). The application must be submitted to your Associate Head of School (Research) in the first instance.

Applications will be assessed by anonymous expert and non-expert reviewers and the reviewer reports and applications will be considered by the Faculty Research Committee. Reviewers are asked to score and/or comment on the following criteria:

**Project Content (60 per cent in total)**

* Significance and innovation (30/100)
* Approach (20/100)
* National benefit & strategic alignment (10/100)

**Investigator(s) (40 per cent in total)**

* Track record relative to opportunities (20/100)
* Capacity to undertake the proposed research (20/100)

**Budget (Comment on appropriateness to Project)**

* What is the likelihood that this project and CI team will lead to a publication in a refereed journal of international standing?
* Should this project receive funding?

**Submission dates**

Round 1 for funding in 2013: Friday 12 October 2012 (submit application to your Assoc Head of School Research)  
Round 2 for funding in 2013: To be advised (submit application to your Assoc Head of School Research)  
Round 3 for funding in 2013: To be advised (submit application to your Assoc Head of School Research)

Applicants must discuss their proposed application with their Associate Head of School (Research) as early as possible and the final application must be endorsed by the Associate Head of School (Research) prior to submission. The Associate Head of School (Research) will submit endorsed applications for consideration by the Faculty Research Committee.

Future applications for funding will not be considered where reports which are due, have not been submitted. A copy of the previous report/s must be provided with any new application.

**Reporting**  
Grants must be fully expended by 30 November in the year awarded.  
An annual report is to be lodged with the Faculty Research Administration Group by 1 December in the year the grant is awarded, using the [Faculty Research Grant report form (24KB)](https://www.deakin.edu.au/buslaw/staff-only/research/docs/frg-report-form.doc).

**Early Career Researcher Grants**

**Purpose of the Grant**

Early Career Researcher Grants are available to eligible staff to undertake research in business and law generally. ECR applications must be supported by a Mentor - a senior member of the School or discipline.

Faculty Research Grants will be expected to achieve the successful administrative and academic completion of a discrete research project, research publications and where appropriate applications for external research funding.

Schools may be required to refund the amount of a grant if the specified outcomes of the funded research activity are not achieved.

Priority will be given to applications which:

* are linked to research strengths and concentrations in the School and/or Faculty
* provide a viable and well justified plan, schedule and budget related to the outcomes
* have been peer reviewed, including review by the appropriate Associate Head of School (Research), and include a statement to that effect.

**Value of Grant**

The maximum funding available for an ECR grant is $5000. Recipients of grants are required to seek approval from the Associate Dean Research for any deviation from the approved budget presented in the application.

**Eligibility**

Academic staff members in the Faculty of Business and Law who are Early Career Researchers, and are employed at a fraction of 0.5 or greater on a continuing basis are eligible to apply. For more particulars, please go to https://www.deakin.edu.au/buslaw/staff-only/research/frg.php

**HDR CANDIDATES**

Some of you will be eligible to apply this year, others, hopefully, in near future:

**TRAVEL GRANTS:**

**Cass Foundation:** [www.cassfoundation.org](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=HgGcwJGmukqQpa90oaNsS8IlQdB52c8IePyYeC-Tm69fTuVYFbqRd2ux5zfHI2RtZ1OMoDbdmzw.&URL=http%3a%2f%2fwww.cassfoundation.org)

**HDR SUPPORT**

Support is available for HDR candidates, including but not limited to the following -

Research skills and support:  [http://deakin.edu.au/buslaw/research/students/support.php](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fdeakin.edu.au%2fbuslaw%2fresearch%2fstudents%2fsupport.php)

HDR Support Grants:[http://deakin.edu.au/buslaw/research/students/hdr-grants.php](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fdeakin.edu.au%2fbuslaw%2fresearch%2fstudents%2fhdr-grants.php)

HDR Conference Grants: [http://deakin.edu.au/buslaw/research/students/conference-grants.php](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fdeakin.edu.au%2fbuslaw%2fresearch%2fstudents%2fconference-grants.php)

***Research Training Opportunities***

Deakin offers a range of research workshops, through the Research Training Institute, the Office of Research Integrity, the Division of Student Life and the Library. There is no charge for these workshops, which are open to staff and HDR candidates.

Early registration is essential as places fill quickly.

To register for a workshop, go to the Events Registration System (ERS) at: [http://www.deakin.edu.au/research/admin/ers](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch%2fadmin%2fers)/

Forthcoming HDR workshops include:

* [1A Induction 1 Procedures and Support](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch-services%2fevents%2fevent.php%3fevent_id%3d654)
* [1B Induction 2 Life as a Research Student](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch-services%2fevents%2fevent.php%3fevent_id%3d658)
* [1K Research Integrity (Compulsory Workshop)](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch-services%2fevents%2fevent.php%3fevent_id%3d659)
* [3A Approaching Completion](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch-services%2fevents%2fevent.php%3fevent_id%3d657)
* [3B Planning Your Career after completion](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fresearch-services%2fevents%2fevent.php%3fevent_id%3d656)

The full HDR Workshop program for 2013 is available at:

[http://www.deakin.edu.au/current-students/research/workshops.php](https://services.exchange.deakin.edu.au/owa/redir.aspx?C=MT1INIXhT0etURKy1Rv3TVOJQjTX3c8IfzD3O6vevEZfAmYlsyCYigTpq-LPOfYaNzEQYZSMqps.&URL=http%3a%2f%2fwww.deakin.edu.au%2fcurrent-students%2fresearch%2fworkshops.php)