**DEAKIN UNIVERSITY**

**SCHOOL OF LAW RESEARCH REPORT No 1**

**17/1/2014**

**RECENT PUBLICATIONS**

**Congratulations to the author of the following recent publication:**

## Lang Thai, ‘Calling for reform to the statutory derivative action in Australia: Critical analysis and suggestions for reform’ (2013) 21 *Insolvency Law Journal* 242-262. [C1]

## Mirko Bagaric and Theo Alexander, ‘A Rational Approach to Sentencing White-Collar Offenders in Australia’ (2014) Adelaide Law Review 94-123 [C1]

## Danuta Mendelson & Mirko Bagaric, 2013, ‘La risoluzione dei conflitti familiari nelle esperienza australiana: la necessita di estendere ulteriormente la mediazione e di ridurre la funzione giudicante delle corti’ (‘Family Law Dispute Resolution in Australia: The Need to Further Expand Mediation and Attenuate the Court Determination Process’ Italian translation) in *Le ragioni degli altri. Mediazione e famiglia tra conflitto e dialogo: Una prospettiva comparatistica ed interdisciplinare (The Reasons of the Others" - Mediation and Family Between Conflict and Dialogue*), Firenze University Press, Turin, Italy, pp.167-178. [B1] <http://dro.deakin.edu.au/view/DU:30059373>

**CHANGES TO THE DEST POINT AMOUNTS FOR 2013 PUBLICATIONS**

In 2014, each DEST point will attract $1500 ($700 more than in 2013)

• Each HERDC article will attract **one** DEST point ($1500)

• Each HERDC book will attract **five** DEST points ($7500)

• Each revised edition of HERDC book will attract **two** DEST points ($3000)

• Co-authored works will attract **pro-rata** DEST points: 1/2; 1/3, etc of the relevant category of publication

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).

NOTE: DEST point funds can be used to attend a conference irrespective of whether you will present a paper. They can be used for research assistance, and, with approval of the Head of School, for books.

Please note that the amended Research Funding Policy will be published in the *Research Report* No 2, 2014.

**DEAKIN LAW SCHOOL RESEARCH SEMINARS**

**Please let me know if you would like to present a research seminar: topic and date**

We may revert to holding Research Seminars at noon, unless they clash with the School Management Committee meetings

**FRIDAY, 7 FEBRUARY 2014**

Vivek Chandra

On Liquefied Natural Gas

**FRIDAY, 14 FEBRUARY 2014**

How to distinguish between good and dodgy/predatory publishers of journals and books

**FRIDAY, 2 MAY 2014**

T. Leigh Anenson, J.D., LL.M.

Associate Professor of Business Law

Department of Logistics, Business and Public Policy

Robert H. Smith School of Business

University of Maryland

**TORTS, JURISPRUDENCE, ECONOMICS, ETC RESEARCH HUB**

**WEDNESDAY, 5 FEBRUARY 2014 AT 5pm**

**Carol Newlands:** The Role of Medical Panels in Victoria: workloads and statistics (Medical Panels’ workloads reflect personal injury claims)

Abstract

The Medical panels were first introduced in Victoria in 1990 as part of the amendments to the Accident Compensation Act 1985. Initially the role was advisory, but over the intervening years it has undergone significant changes due to changes in legislation and judicial review.

Following the report on the Review of the Law of Negligence under the Chairmanship of the Hon David Andrew Ipp of 30 September 2002, the Medical panels were given a new role and became the ‘gatekeepers’ to Common Law access for claimants alleging personal injury.

Under both, the Wrongs Act 1958 and the Accident Compensation Act 1985, the creation of Panels was seen as a means of (1) reducing costs to the compensation system, (2) ensuring cases were assessed in a timely fashion and (3) reducing the involvement (and therefore cost) of the legal profession.

Carol will discuss statistical information that forms part of her PhD findings, and shows significant increase in workloads of Medical Panels since 2010 in relation to claims under the Wrongs Act 1958 and the Accident Compensation Act 1985. She will then consider possible reasons for such an increase.

Carol will also present drafts of three questionnaires to assess whether the Panels are fulfilling the three purposes for which they were set up (reduction of costs, reduction in involvement of the legal profession; timely assessments).

**Venues:**

Melbourne: Boardroom, Level 3, Deakin City Center, 550 Bourke Street

The Waterfront: F BL Mtg Room AD Level 2 ad2.308 (all Deakin Staff)

Burwood: Moot Court: C 4.05

The VPN telephone number, to which all parties must, dial is:

5223 6933

Colleagues wishing to participate via telephone can dial the VPN from any location (home, office, etc).