



DLS Reported Research August/September 2019

Recent Publications

Books

Matthew Groves, Janina Boughey and **Dan Meagher** (eds), *The Legal Protection of Rights in Australia* (Hart Publishing, England, 2019) 482pp + xvii

Book Chapters

M Groves, **D Meagher** and J Boughey, "Rights, Rhetoric and Reality: An Overview of Rights Protection in Australia" in **Groves**, Boughey and **Meagher** (eds), *The Legal Protection of Rights in Australia* (Hart Publishing, England, 2019) 1-16

D Meagher, "A Common Law Bill of Rights" in **Groves**, Boughey and **Meagher** (eds), *The Legal Protection of Rights in Australia* (Hart Publishing, England, 2019) 373-392

M Groves, "International Law, Administrative Powers and Human Rights: The Legacy of *Teoh*" in **Groves**, Boughey and **Meagher** (eds), *The Legal Protection of Rights in Australia* (Hart Publishing, England, 2019) 103-122

Articles

PJ Badenhorst & CN van Heerden, "Conflict resolution between holders of prospecting or mining rights and owners (or occupiers) of land or traditional communities: What is not good for the goose is good for the gander" 2019 (136) *South African Law Journal* 303-327.

John Morss, 'Cutting Global Justice Down to Size? Rights, Vulnerabilities, Immunities, Communities' (2019) *Liverpool Law Review* 40(3) 1-24 (published online, September 2019)

Michelle Bendall, 'Law Librarian as Scholarly Colleague' (2019) 27(2) *Australian Law Librarian* 65.

Benjamin B Saunders, 'Causation in Securities and Financial Product Disclosure Cases: An Analysis and Critique' (2019) 47(3) *Federal Law Review* 494-518.

Gabrielle Wolf and Mirko Bagaric, 'Nice or Nasty? Reasons to Abolish Character as a Consideration in Australian Sentencing Hearings and Professionals' Disciplinary Proceedings' (2018) 44(3) *Monash University Law Review* 567.

Mirko Bagaric and **Gabrielle Wolf**, 'Sentencing by Computer: Enhancing Sentencing Transparency and Predictability, and (Possibly) Bridging the Gap Between Sentencing Knowledge and Practice' (2018) 25(3) *George Mason Law Review* (published online, September 2019)

Matthew Groves, 'A Reasonably Reasonable Apprehension of Bias' (2019) 41 *Sydney Law Review* 383-393

Other Research Activities

Conference and seminar presentations

M McMahon, '*Ordinary Domestic Murder' or Just Murder? Sentencing Men Who Murder Their Female Intimate Partners'*, Paper presented at the Annual Conference of the International Criminal Investigative Fellowship, Melbourne, 6 September 2019.

E Kirley & M McMahon, '*The Murky Ethics of Emoji: How Shall We Regulate the Web for Good?*', Paper presented at the Academy of Legal Studies in Business Annual Conference, Montreal, 6-10 August 2019.

M McMahon, 'No Bail, More Jail? Breaking the Nexus Between Community Protection and Escalating Pre-Trial Detention' (Speech delivered to Members, Parliament of Victoria, August 15, 2019).

M McMahon, 'No Bail, More Jail? Breaking the Nexus Between Community Protection and Pre-Trial Detention', Library Fellowship Research Paper No.3, Department of Parliamentary Services, Parliament of Victoria (August 2019).

Sonia Allan, 'Reviews of Assisted Reproductive Technology and Surrogacy Legislation in NSW, South Australia and Western Australia,' Obstetric Malpractice Conference 22 - 24 August, 2019, Melbourne

A Carter & G Appleby, "Parliaments, Proportionality and Facts", paper presented at *Facts in Public Law Adjudication* workshop (sponsored by the Academy of Social Sciences in Australia), Melbourne Law School, 15 August 2019

O Roos, 'The *Kirk* Structural Implication', paper presented to the Constitutional Theory Scholars Day, 25 July 2019, Melbourne Law School

Daniel Goldsworthy, 'Inherently Vexed: The Power of the Executive to Denounce Treaties' delivered at Deakin Law School Seminar, Deakin Law School, 21 August 2019.

Zehra G. Kavame Eroglu, 'Banking in the Spotlight', The 36th Annual Conference of the Banking & Financial Services Law Association (BFSLA), 29 - 31 August, Gold Coast. Zehra is also the member of the BFSLA Academic Committee, an invitation only membership

Matthew Groves, 'Ombudsmen and Natural Justice' Seminar presented to the Victorian Ombudsman Lunchtime Seminar Series, 15 August 2019, Melbourne.

Matt Lister, 'Enforcing Immigration Law' Deakin Staff Research Seminar, 25 September 2019

Shiri Krebs, 'Bounded Factuality: The Targeted Killing of Salah Shehadeh and the Legal Epistemology of Risk' (paper presented to the **Facts in Public Law Adjudication Workshop**, Melbourne University, co-convened by Anne Carter, 15 August 2019).

Shiri Krebs, 'The Impact of Drone Imaging on Military Decision-Making' (paper presented at the 8th Conference of the Australasian Institute of Computer Ethics, 19 August 2019)

Other research and professional activities

Anne Carter - Co-convening workshop *Facts in Public Law Adjudication* workshop (sponsored by the Academy of Social Sciences in Australia), Melbourne Law School, 15 August 2019 [convened with Professor Adrienne Stone (MLS) and Dr Joe Tomlinson (University of York)].

Marilyn McMahon was reappointed to the *Forensic Leave Panel (Victoria)* by the Governor in Council on August 20 2019.

Podcast and other web activities

Samantha Hepburn released her podcast with Deakin Disruptr on Wednesday 25th September, 2019 at the Waterfront for the new 'Change One Thing' Series. It is titled 'Trials and tribulations – energy and law' with Larni Salathiel and **Professor Samantha Hepburn**

Neera Bhatia: Deakin Alumni Webinar, '#Uncharted Territory: The new era of social media and its impact on end of life decision making for critically ill infants' Wednesday 21 August, 12.30-1.30pm

Grant successes

1. **Vicki Huang** and Sue Finch, 'Gender and Australian Patent Application Outcomes'. Deakin Science & Society Interdisciplinary Project Incubator Award of **\$9,500**. Commencing 2020.
2. **Vicki Huang**, 'Using Open Data for Interdisciplinary Research – Workshop and Speed-Meeting' Deakin Science & Society Establishment Grant Scheme award of **\$2,080**.

Media

Media appearances/mentions

Felicity Gerry QC, 'Trafficking victims should not be prosecuted', The Times (online) 25 July 2019, <<https://www.thetimes.co.uk/article/trafficking-victims-should-not-be-prosecuted-pqkm3kvsr>>

Felicity Gerry QC, ABC News, 'The sex slavery at the heart of the Crown Casino allegations', The World Today, 31 July 2019,

<<https://www.abc.net.au/radio/programs/worldtoday/the-sex-slavery-at-the-heart-of-the-crown-casino-allegations/11369622>>

J Murphy with **Felicity Gerry QC**, R Tinsdale and J Kretzenbacher, 'Murder, Mercy and Mandatory Sentencing: The "Anomalous" Case of Zak Grieve,' Criminal Lawyers Association of the Northern Territory, 20 July 2019, <<https://clant.org.au/wpcontent/uploads/MurphyPaper.pdf>>

Felicity Gerry QC, 'Arresting Tales – the best crime and legal books to read in the sun', The Times (online) August 2019, <<https://www.thetimes.co.uk/edition/law/arresting-tales-the-best-crime-and-legal-books-to-read-in-the-sun-gz0clgz5>>

Sonia Allan, Interviewed by Tracey Bowden and Foreign Correspondent, '[Australian parents warn reality of Ukrainian surrogacy doesn't always match the dream](#)', 19 August 2019, ABC News

Sonia Allan, Interview by Tracey Bowden, '[Australian parents warn reality of Ukrainian surrogacy doesn't always match the dream](#)' Aired 21 August 2019, 7.30 Report, ABC (Television)

Media appearances – special section for Prof Sam Hepburn...whose sheer number requires a separate section!

August

1. 'Adani Has Set a Dangerous Precedent in Requesting Scientists Names', The Conversation <https://theconversation.com/adani-has-set-a-dangerous-precedent-in-requesting-scientists-names-120487>
2. Why is the Australian Energy Regulator Suing Wind Farms and Why Now, The Conversation, Friday August 9 <https://theconversation.com/adani-has-set-a-dangerous-precedent-in-requesting-scientists-names-120487>
3. ABC Drive Melbourne, Interview on Liquid Fuel Security: Tuesday 6th August at 8am with Jacinta Parsons and Sammi Shah <https://www.abc.net.au/radio/melbourne/programs/breakfast/breakfast/11368446>
4. ABC Central Victoria, Raising Gas Exploration and the Moratorium in Victoria, Tuesday 6th August <https://www.abc.net.au/radio/centralvic/programs/>
5. Radio 5aa Leon Byner, Interview on Gas Prices and the Implementation of a Domestic Gas Reservation Policy, Tuesday 6th August <https://soundcloud.com/fiveaa/leon-byner-6-august-2019?in=fiveaa/sets/leon-byner-mornings-on-fiveaa>
5. ABC Radio Australia Wide, Interview on Liquid Fuel Security and our non-compliance with the International Energy Agency Stockpiling Recommendations, with Sinead Mangan, Tuesday 6th August 6pm <https://www.abc.net.au/radio/programs/australia-wide/australia-wide/11368392>
6. Australian Energy Daily, Interview: Why the AER is Litigating and Will it Stop another Energy Blackout, Tuesday 13th August 2pm.

7. Conference Presentation: Adani and a shifting Energy Framework - Climate Change Workshop, Panel Presentation, University of Melbourne, Monday 5th August.

September

1. 'Unprecedented Attack Creates a New Risk for Australian Oil' Monday September 17th, 2019 (Interview with The New Daily) <https://thenewdaily.com.au/money/finance-news/2019/09/17/fuel-supply-critical-australia-saudi/>
2. "ABC Australia Wide Radio' Monday 16th September, 6pm 'Fuel Price Concern Following Attack on Saudi Oil Facilities' <https://www.abc.net.au/radio/programs/australia-wide/australia-wide/11494266>
3. The Feed, SBS Monday 16th September, 'Are We Running Out of Oil' Live Interview with Alice Mathews <https://www.sbs.com.au/news/the-feed/are-we-running-out-of-oil>
4. Oil Claim Accurate but Questions Remain AAP Factcheck Interview Thursday 19th September <https://www.cowraguardian.com.au/story/6395561/oil-claim-accurate-but-questions-remain/?cs=9397>
5. United Nations Climate Summit Report 2019 - Expert Reaction Monday 23rd September <https://www.scimex.org/newsfeed/expert-reaction-weve-just-had-the-hottest-5-years-on-record,-un-science-group-says-time-to-face-reality-on-climate>

Another separate section – Cassandra Seerey in the following media appearances

August

- ABC Radio Melbourne, Raf Epstein (discussing child rights in the digital age) Tuesday August 27th at 4:05pm
- ABC Radio Hobart, Lucy Breaden (discussing child rights in the digital age) Tuesday August 27th at 4:35pm
- ABC Radio Goulburn Murray, Sandra Moon (discussing child rights in the digital age) Wednesday August 28th at 9:05am
- 3AW Melbourne, Neil Mitchell (discussing child rights in the digital age) Wednesday August 28th at 11:35am
- ABC Radio South West Victoria, Steve Martin (discussing child rights in the digital age) Thursday August 29th at 9:10am
- Radio 6PR (Perth), Gareth Parker (discussing child rights in the digital age) Friday August 30th at 10:10am
- Herald Sun, Susie O'Brien 'Sharing's not caring' August 29 2019

September

- Triple R Radio (Melbourne), *Byte into IT* (discussing child rights in the digital age) Wednesday September 4th at 7:10pm

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