



DLS Reported Research

October 2023

Recent Publications

Books

Samantha Hepburn, *Australian Property Law: Cases, Materials and Analysis*, 6th edition, Lexis. Published 15th October, 2023.

Book Chapters

Patrick Emerton and Jayani Nadarajalingam, "One Important Role of Facts in Constitutional Adjudication" in Joe Tomlinson and Anne Carter (eds), *Facts in Public Law Adjudication* (Hart, 2023) 49-65

Jane Kotzmann, Morgan Stonebridge and **John R Morss**, 'SDG4: Ensure Inclusive and Equitable Quality Education and Promote Lifelong Learning Opportunities for All', in Ilias Bantekas, Francesco Seatzu and Katerina Akestoridi (eds), *The UN Sustainable Development Goals: A Commentary* (OUP 2023) 267-369

Felicity Gerry et al, 'FGM – Health, law, education and sustainable goals through upstream and downstream approaches' in Maria Jaschok et al (eds), *The Routledge International Handbook of Harmful Cultural Practices* (Taylor & Francis Group, 2023).

Shiri Krebs, 'Defactualisation of Justice' in *Facts in Public Law Adjudication* (Joe Tomlinson and Anne Carter, eds., Hart Publishing, 2023), 281-298.

C1: Articles

Vicki Huang and **Jason Taliadoros**, 'Image Abduction of a Normal Person in a Public Space' (2023) 97 *Australian Law Journal* 734

John Morss, 'The Holy See and the Personal Injury Exception to Foreign State Immunity in Australia' (2023) 44(1) of the *Adelaide Law Review* 1.

David Tan, 'The Thought Problem and Judicial Review of Administrative Algorithms' (2023) 44(1) of the *Adelaide Law Review* 37

Jason Taliadoros, 'Revisiting Rights-Talk in Magna Carta: Applying Hohfeld to the Problem' *William & Mary Bill of Rights Journal* 32(1) (forthcoming 2023).

Oscar Roos, 'The Kable Doctrine, State Legislative Power and the Text and Structure of the Constitution' (2023) 46(3) *University of New South Wales Law Journal* 931-61.

Dominique Allan, Janina Boughey and **Dan Meagher**, 'A Case for Recognising Non-Discrimination as a Fundamental Right at Common Law' (2023) 46(3) *University of New South Wales Law Journal* 902

Sven Gallasch, 'Quo Vadis - Australian merger reform and the choice between mandatory pre-notification and ex post administrative powers' (2023) 44(11) *European Competition Law Review* 500

Other Research Activities

Conference and seminar presentations

Maria O'Sullivan 'Anti Vaccination Movements, Sovereign Citizens and Extremism', Workshop on Countering Terrorism and Violent Extremism in the Public Interest, TMC Asser Institute, Centre for International and European Law, The Hague, 31 October 2023

Maria O'Sullivan 'Automation in Government Decision-Making', Registrars of Titles Conference, Melbourne, 11 October 2023

Shiri Krebs was invited to present on "Human-Machine Interaction in Military Decision-Making" at the DILEMA Conference on Designing International Law and Ethics into Military AI, ASSER Institute, The Hague, 12-13 October 2023, <https://www.asser.nl/media/796679/dilema-2023-conference-programme.pdf>

Shiri Krebs was invited to deliver a special guest lecture at the Empirical Legal Studies Center, Freie University Berlin, on 24 October 2023, <https://www.jura.fu-berlin.de/en/forschung/fuels/Upcoming/Event-2023-10-24.html>.

Shiri Krebs organised and participated at an expert webinar on international law and the current Israeli-Gaza war, hosted by the Lieber Society on the Law of Armed Conflict and the American Society of International Law, and co-sponsored by the American Bar and the American Red Cross. The panel featured expert speakers from both Israel and Palestine and the recording is available here: <https://www.asil.org/events/applications-principles-international-humanitarian-law-current-israelgaza-conflict>.

Shiri Krebs was invited to participate at a special webinar featuring prominent women in International Humanitarian Law, hosted and sponsored by the Lieber Society on the Law of Armed Conflict and the American Society of International Law. The webinar is available here: <https://www.asil.org/event/women-international-humanitarian-law-field-and-office-%E2%80%93-experiences-and-perspectives>.

Matthew Groves, "Apprehended Bias and Data" Panel Discussion for the Strategic Litigation Network convened by the Andrew & Renata Kaldor Centre for International Refugee Law, UNSW Law & Justice (Baker & McKenzie, Barangaroo, Sydney, 25 October 2023)

Matthew Groves, A new system of federal review: changes to the AAT' (Integrity and Innovation - Public Law in the 2020s, ANU Public Law Weekend, Canberra, 27 October 2023)

Tania Penovic and Michaela Guthridge, 'The role of affective empathy in eliminating discrimination against women: A qualitative investigation', Columbia University Human Rights Seminar, Columbia University, 31 October 2023

Felicity Gerry, 'Aboriginal and Torres Strait Islander Children in the Criminal Justice System - Addressing Over-representation and Inter-generational Trauma' (Panel Discussion, Southern Cross University, 12 October 2023).

Felicity Gerry, 'Women at the Bar' (Exeter College Oxford, 27 October 2023)

Jane Kotzmann delivered a Guest Lecture for the Environment and Social Governance Research Group, Queensland University of Technology on 'Sentience and Intrinsic Worth as a Pluralist Foundation for Fundamental Animal Rights', Brisbane, 31 October 2023

Sven Gallasch, 'A call to arms: Proposing the Use of Social Science Research Methods in Transnational Competition Law', Ascola Asia workshop, Kyoto University, 27 October.

Media appearances

Samantha Hepburn, Interview with Indira Naidoo on ABC Radio Sydney and Canberra discussing the use of hydrogen as liquid fuel. (17 October 2023)

<https://www.abc.net.au/listen/programs/sydney-evenings/evenings/102958458>

Jane Kotzmann was interviewed by Dr Dana Campbell, Senior Research Scientist, Agriculture and Food, CSIRO, in relation to aquaculture animal welfare as part of the [ON Prime program](#), 16 October 2023

Felicity Gerry was portrayed by Tom White, 'Meet the top 5 international lawyers you want on your side', *Law and Crime* (Online, 6 October 2023) < <https://lawandcrime.com/partner-content/meet-the-top-5-international-lawyers-you-want-on-your-side/>>.

Felicity Gerry appeared on GB News, commenting on the failed prison system in Britain <https://x.com/felicitygerry/status/1713131297168863296?s=20>

Felicity Gerry, Law in Action, 'Exporting prisoners, is Joint Enterprise racist, and Gaza-Israel', *BBC Sounds* (interview, online 24 October 2023) <

Other publications and research related activities

Patrick Emerton, Panellist, Book panel on Geoffrey Swenson, *Contending Orders: Legal Pluralism and the Rule of Law* (OUP 2022), Centre for Comparative Constitutional Studies, Melbourne Law School, 17 October 2023

Karen Powell has received the Australia New Zealand Sports Law Association's 2-23 Denis Callinan award. <https://lawnewsroom.deakin.edu.au/articles/deakin-lawyer-awarded-for-commitment-to-help-athletes-train-through-pandemic>, and also was awarded a Change our Game Professional Development scholarship.

Jane Kotzmann won the Vice Chancellor's Award in the Category: Research and Innovation – Vice-Chancellor's Early Career Researcher Award for Career Excellence – Individual award

Felicity Gerry, 'The law on Joint Enterprises has taken another Wrong Turn', LinkedIn (online, 22 October 2023)

Felicity Gerry attended the Asia Pacific Regional Forum Lunch at International Bar Association (IBA) Conference in Paris in her capacity as the Asia Pacific Regional Forum Liaison for the IBA Criminal Law Committee (October 31 2023)

Sven Gallasch was invited to attend an internal trainings workshop for competition authorities from developing nations, hosted by the Japan Fair Trade Commission and the Japan International Cooperation Agency. 23-26 October.

