**DEAKIN LAW SCHOOL RESEARCH REPORT**

**(No 14 of 2012)**

**GRANT FUNDING SUCCESSES**

Congratulations to **Prof Christoph Antons**, who as the lead researcher, has been awarded the **ARC Discovery Project Grant** of $300,000 over 3 years.

**DP130100213 Antons, Prof Christoph; Logan, Prof William S; Warren, A/Prof Carol; Chen, Prof Jianfu**

**Approved**

**Project Title**

***Intangible cultural heritage across borders: laws, structures and strategies in China and its Association of Southeast Asian Nations neighbours***

2013 $100,000.00

2014 $100,000.00

2015 $100,000.00

**Total $300,000.00**

Primary FoR 2102 CURATORIAL AND RELATED STUDIES

**Administering Organisation** Deakin University

**Project Summary**

This project explores the way selected Asian countries have implemented international concepts regarding intangible cultural heritage and how cross-border conflicts about heritage have resulted from different interpretations of related 'rights'. This project develops proposals for international reconciliation and cooperation in heritage protection.

As the year draws to it close, we should also congratulate the **Centre for Rural Regional Law and Justice** (CRRLJ), which in its first 11 months of operation has generated **$254,000** in research grants income.

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

**Grant Title –Churchill Fellowships**

Sponsor - Churchill Memorial Trust, Winston – Australia

Closing Date- Feb 26, 2010

Abstracts - The aim of The Winston Churchill Memorial Trust is to provide an opportunity for Australians to travel overseas to conduct research in their chosen field that is not readily available in Australia. No prescribed qualifications are required  of the proposed project is a key factor and a desire to share the research findings with the Australian community must be displayed. The subject of the proposed project is limitless provided a benefit to Australia can be demonstrated.  
Fellowships will not be awarded to enable the applicant to obtain higher academic or formal qualifications, but proposals for professional or academic investigations will be entertained where the project would primarily benefit the Australian community.  
Churchill Fellowships will be awarded for the purpose of pursuing an overseas investigative project of a kind that is not fully available in Australia. [more ...](http://fundingopps.cos.com/alerts/1637)

Link- <http://www.churchilltrust.com.au/about/fellows/>

**STANDING REQUEST**

**Could you advise me (with cc to Suzie Miller) of any External Research funding you hold for 2012 and beyond?**

The format is as follows:

**Title**

**Source**

**Staff Member**

**Total Grant**

**RECENT PUBLICATIONS**

Congratulations to the authors of the following recent publications:

**Mirko Bagaric** and **Athula Pathinayake**, ‘Mandatory Harsh Penalties for People Smugglers in Australia:Time for Reform’ (2012) 76 *The Journal of Criminal Law* 493–511 doi:10.1350/jcla.2012.76.6.806

**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.

**Danuta Mendelson**, ‘The Duchess of Kingston's Case, the ruling of Lord Mansfield and duty of medical confidentiality in court**’ (2012) 35 (5)** *International Journal of Law and Psychiatry*(in press, corrected proof available at: **http://dx.doi.org/10.1016/j.ijlp.2012.09.005)**

**Dear Colleagues, please note that Journal rankings have been discarded by ERA.**

**ERA Law panels consider the *quality of the actual research publications* – their scholarship, originality and contribution to the new knowledge. Selection and promotion panels at Deakin University and other institutions are beginning to follow the suit.**

***UNIVERSITY OF NEW SOUTH WALES LAW JOURNAL ISSUE* 36(1)**

Please find attached an invitation to contribute to the University of New South Wales Law Journal Issue 36(1), which will bring a range of perspectives to bear on the evolution of the public/private divide.

Please do not hesitate to contact me if you have any questions. I look forward to hearing from you.

Giridhar Kowtal • Editor Issue 36(1) • UNSW Law Journal • Faculty of Law • The University of New South Wales • UNSW Sydney NSW 2052, Australia • Mobile: +61 413 445 177 • Phone: +61 (2) 9385 2237 • Fax: +61 (2) 9385 1175 • Website: http://www.unswlawjournal.unsw.edu.au<http://www.unswlawjournal.unsw.edu.au/>

**PUBLICATION *DRO* GUIDELINES**

You need to forward details of your publications on the special **Faculty Proforma** (attached) to **Dr Aysun Alpyurek** ([aysun.alpyurek@deakin.edu.au](mailto:aysun.alpyurek@deakin.edu.au)) so that Dr Alpyurek can upload your publication on the DRO. Unless they appear on the DRO, your publications will not be counted for the purposes of the University (PPR, etc).

**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>

**Please note the following message from Professor Pasquale M Sgro, Associate Dean (Research), Faculty of Business and Law:**

‘The Faculty’s position is that it is **not** reporting non-HERDC reportable items (ie., those outside of A1/B1/C1) to 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 reported to DRO. Otherwise, you can record all of your publications on your CV and make this available on your staff profile page.’

When you publish articles in Law reviews, inter-disciplinary publications, or journals from other disciplines, please complete the **Publications Proforma** (attached), paying 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.

Just as importantly, 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).

**RESEARCH IMPACT**

While the old journal rankings are becoming obsolete, and are not considered criteria for ERA ranking, ‘research impact’ is being adopted as the new standard for determining excellence/scholarly achievement. Attached is the London School of Economics Research Impact Handbook. It provides a very good guide to the ways in which you can maximize and document the research impact of your publications.

Remember, quantifying research impact is essential not just for the purposes of ERA but for establishing your own research profile (for promotion, quality assessment, grants, invited presentations, or networking).

We need to adapt to the new assessment environment now.

Suzi Miller is working very hard and very imaginatively on making the Law School and each of our individual websites look good.

However, those of you who wish to make the most of impact opportunities offered by your research profile website need to create a direct link to the DRO for each individual publication. It allows persons browsing through our web-pages a direct access to a publication of interest by clicking on the link to the item. All new items appearing in the *Law School Research Reports* will be automatically uploaded with their DRO links attached; however the input for past publications *will have to come from you*:

you will need to go through your articles and materials on the DRO and provide Suzi Miller and me with the *full citation* *and the accompanying link*. This information will then be up-loaded onto your webpage.

For some of us, it will involve a lot of work. But the new adage is: ‘publish and make it electronically accessible or perish’.

**LAW SCHOOL RESEARCH WEBSITE**

[**http://www.deakin.edu.au/buslaw/law/research/index.php**](http://www.deakin.edu.au/buslaw/law/research/index.php)

**RESEARCH RELATED ACTIVITIES**

**PAST ACTIVITIES**

**Prof Jean du Plessis** was a keynote speaker at an inter-discplinary International Conference on Corporate Governance, 'Corporate Governance: Its perspectives an challenges in a dynamic and complex business environment' held in Skopje, Macedonia, from 7-8 November 2012. The conference was organised by the Faculty of Economics, SS.Cyril and Methodius University of Skopje. He addressed the audience on developments regarding board diversity in Australia, the European Union and South Africa. A shortened joint paper (with Ingo Saenger and Richard Foster) was published as part of the peer-reviewed Conference Proceedings and a comprehensive article by the three authors will also be published in Issue 2 of the 2012 *Deakin Law Review*.

**FORTHCOMING RESEARCH ACTIVITIES**

**LAW SCHOOL RESEARCH SEMINAR SCHEDULE**

**FRIDAY 30 NOVEMBER**

Prof Ingo Saenger

Derivative Actions – US standard vs. German experiences

**SCHOOL RESEARCH HUB MEETINGS**

**WEDNESDAY, 21 November 2012**

**Torts, Jurisprudence, and Personal Injury Research Hub**

**will meet at 10.30am**

*Dr Carol Newland will discuss her PhD proposal, which aims to examine and evaluate judicial construction of statutory provisions relating to personal injury in the decade following the Torts Law Reform of 2002, with particular focus on psychiatric injury.*

**SAVE THE DATE:**

***Intellectual and cultural property: Rights discourses in the Asia-Pacific region***

**10-11 December 2012**

*Legal issues related to the internet in Asia*

Keynote speakers at second workshop will be Prof. Reto Hilty (Max Planck Institute for Intellectual Property and Competition Law, Munich) and Prof. Tim Wu (Columbia University).

**FACULTY FUNDING**

# Call for Academic Study Leave (ASL) Applications for Trimester 2 & 3, 2013 (see attachment)

Applications for Academic Study Leave (ASL) for Trimester 2 & 3, 2013 are now called from eligible staff. Staff considering applying for ASL are encouraged to discuss their application with their Head of School or equivalent prior to submission.   
  
Please be advised that the Academic Study Leave procedure has recently been amended, requiring applicants with an excessive recreational leave balance to submit a plan (with their ASL application) outlining how they intend to reduce their leave balance. For full details please refer to the Academic Study Leave Procedure available on The Guide.   
  
**Applications are due to your Head of School or equivalent by close of business 11 January 2013.**  
For general information and to access the current application form please visit the Academic Study Leave website- <http://www.deakin.edu.au/hr/staff-dev/outside-study.php.>

Staff who are planning ASL are encouraged to include the Faculty of Business and Law's partner institutions in their plans – a copy of the Faculty's current partner institutions is attached for your reference. Your Head of School can also assist you with this.

**HDR INFORMATION**

**OUR HDR CANDIDATES**

Thank you very much to those who have responded to my request for the following information to be placed on the Deakin Law School’s Research Website involving the list of 2012 HDR candidates (including members of the Law School undertaking their HDR candidatures elsewhere).

For those of you who are yet to respond, I would very grateful if you could supply:

1. You name, qualifications and photo (the last is strictly at you discretion);
2. A short explanatory paragraph with the précis of the research question(s) you are researching, or intending to investigate;
3. Any materials (either files or URLs) pertaining to your thesis/candidature that you wish to link to your ‘basic’ information. The material may include a link to the electronic version of your completed thesis; more extensive outline of the thesis-in-progerss; any published articles; reports, etc.

With kind regards,

*Danuta Mendelson*