**DEAKIN LAW SCHOOL RESEARCH REPORT**

**(No 4 of 2013)**

**RECENT PUBLICATIONS**

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

**Martin Hardie**, ‘Making Visible the Invisible Act of Doping’, (2013) 26 *International Journal for the Semiotics of Law/ Revue internationale de Sémiotique juridique*

**Jane Fu**, ‘Duties of directors and officers under the Hong Kong companies ordinance’, in *Company Law in Hong Kong: Practice and Procedure*, (2012) Sweet & Maxwell, Hong Kong,199-223 (B2). <http://dro.deakin.edu.au/view/DU:30050671>

**Jane Fu**, ‘Derivative actions as a mechanism for protection of minority shareholders in China: theory, law and practice’, in (2012) *Contemporary Private Law*, International Association of IT Lawyers, 390-401 (C1) <http://dro.deakin.edu.au/view/DU:30050733>.

**Danuta Mendelson** and Rachel Anne Carter, ‘Catastrophic Loss and the Law: A Comparison between the Black Saturday Fires and the 2011 Queensland Floods and Cyclone Yasi’ (2012) 31 (2) *University of Tasmania Law Review* 32 – 53 (C1) <http://dro.deakin.edu.au/view/DU:30050762>.

**Mirko Bagaric**, 'The High Court on Crime in 2012: Analysis and Jurisprudence' (2013)  37 *Criminal Law Journal* 6-22 (C1). <http://dro.deakin.edu.au/view/DU:30050811>

**Mirko Bagaric**, *'Rights must yield to community prosperity: The fallacy that is a strong right to privacy*' in Senator Brett Mason and Daniel Wood (eds), forward by Tony Abbott, Future Proofing Australia (2013, MUP) 65-80 (B1)

**Mirko Bagaric** and Peter Faris, Australian Uniform Evidence Law: Legislation nd Commentary - online (CCH, 2012) approx 2,000 pages (A2).

**RESEARCH IMPACT**

**JUDICIAL CITATIONS**

**Lang Thai**, *Idylic Solutions Pty Ltd – Australian Securities and Investments Commission v. Hobbs* [2013] NSWSC 106 <http://www.caselaw.nsw.gov.au/action/PJUDG?jgmtid=163229>

Work cited:

**Lang Thai** “Statutory injunction – Call for amendment to s 1324 of the Corporations Act” (2006) 24 *Company and Securities Law Journal* 41

**Mirko Bagaric** [The Queen v Renwick & Johnston [2013] NTCCA 3 (21 February 2013)](http://www.austlii.edu.au/cgi-bin/disp.pl/au/cases/nt/NTCCA/2013/3.html?stem=0&synonyms=0&query=bagaric)

Works cited:

**Dr Mirko Bagaric**, ‘The Fallacy and Injustice of Imprisonment to Discourage Potential Offenders,’ [(2009) 33 Crim LJ 134](http://www.austlii.edu.au/cgi-bin/LawCite?cit=%282009%29%2033%20Criminal%20Law%20Journal%20134?stem=0&synonyms=0&query=bagaric); ‘Bringing Sentencing Out of the Intellectual Wasteland – Ignoring Community Opinion’ (2010) 34 *Crim LJ* 28;

**M Bagaric** & **T Alexander**, ‘(Marginal) general deterrence doesn’t work – and what it means for sentencing,’ 35 *Crim LJ* 269.

**Mirko Bagaric** [Fusimalohi v R [2012] ACTCA 49 (12 December 2012)](http://www.austlii.edu.au/cgi-bin/disp.pl/au/cases/act/ACTCA/2012/49.html?stem=0&synonyms=0&query=bagaric)

work cited:

Edney, R, **Bagaric, M**, *Australian Sentencing: Principles and Practice* (Cambridge University Press, 2007)

**SENATE SUBMISSIONS**

**Danuta Mendelson** and Rachel Anne Carter, ‘Catastrophic Loss and the Law: A Comparison between the Black Saturday Fires and the 2011 Queensland Floods and Cyclone Yasi’ (2012) 31 (2) *UTReview* 32 – 53 currently on the webpage for submissions received by the Senate Standing Committee on Environment and Communications (Recent Trends in and Preparedness for Extreme Weather) <http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=ec_ctte/extreme_weather/submissions.htm> (3rd attachment)

**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**

**FRIDAY, 3 MAY**

**Samantha Hepburn**

The Property Implications of Geosequestration in Australia

**Please contact me if you would like to present the DLS research 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

**EXTERNAL GRANTS**

**I have found the following grants that may be of interest to both, staff members and PhD candidates:**

**Australian Bicentennial Scholarships and Fellowships Scheme for Australian Applicants**

<http://www.kcl.ac.uk/artshums/ahri/centres/menzies/scholarships/absf/absfa.aspx>

**Rydon Fellowship**

<http://www.kcl.ac.uk/artshums/ahri/centres/menzies/scholarships/rydon.aspx>

**Leverhulme Trust (UK)**

[**http://www.leverhulme.ac.uk/funding/funding.cfm**](http://www.leverhulme.ac.uk/funding/funding.cfm)

**Law & Justice Foundation NSW**

[**http://www.lawfoundation.net.au/grants**](http://www.lawfoundation.net.au/grants)

The Law and Justice Foundation of NSW **Grants Program** aims to improve access to justice, particularly for socially and economically disadvantaged people, by supporting selected projects to improve access and decrease barriers to justice, or through research, to identify need or ways to improve access to justice.  
  
The Foundation accepts small grant applications of up to $5000 at any time. Applications for general grants of up to $50,000 close on 31 March and 31 August annually.   
  
You must discuss your project proposal with Grants and Legal Information Manager, **at least 6 weeks before the closing date** or submitting your application. The next general grant round closing date will be**31 March 2013.**   
  
Please contact Jane Kenny, Grants and Legal Information Manager, by phone on **(02) 8227 3210** or email[grants@lawfoundation.net.au](http://www.lawfoundation.net.au/ljf/site/grants@lawfoundation.net.au) to make a time to discuss your proposal.   
  
To prepare for a discussion about your project, please download and read the [Grant Applicants Kit](http://www.lawfoundation.net.au/ljf/site/templates/grants/$file/Grant_Applicants_Kit_Jan2013.pdf) and the[LJF Grant Application Form](http://www.lawfoundation.net.au/ljf/site/templates/grants/$file/LJF_Grant_Application_Form_290113.doc). If you have trouble downloading these documents, please email grants@lawfoundation.net.au  
  
To find out more, visit our page on [Applying for a Grant](http://www.lawfoundation.net.au/grants/apply) or [Frequently Asked Questions](http://www.lawfoundation.net.au/ljf/app/A4E67F54F5378E13CA25774A0011C0A9.html).

# Australian-American Fulbright Commission

<http://fulbright.com.au/>

# Fulbright Scholarships in Climate Change and Clean Energy - Australia

<http://www.fulbright.com.au/index.php/scholarships/for-australians?id=156>

**Harriette Jenkins Award**

<http://www.nzfgw.org.nz/scholarships-grants-and-awards/the-harriette-jenkins-awards/>

**The Swedish Research Council**

<http://www.vr.se/inenglish/researchfunding/ourgrants2013.4.44482f6612355bb5ee780002186.html>

**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)