# DEAKIN LAW SCHOOL RESEARCH REPORT

# No 13/12 July 2013

**RECENT PUBLICATIONS**

Congratulations to the authors of the following recent publications:

**Bagaric, Mirko,** ‘An argument for uniform Australian sentencing law’ (2013) 37 *Australian Bar Review* 40-69 (C1) [http://dro.deakin.edu.au/view/DU:30053352](http://dro.deakin.edu.au/view/DU%3A30053352)

Damian Adams and **Sonia Allan** 'Building a Family Tree: Donor-Conceived People, DNA Tracing and Donor 'Anonymity''7(2) Australian Journal of Adoption, (2013) (available at <http://www.nla.gov.au/openpublish/index.php/aja/article/view/3024>)

***ExpressO ONLINE DELIVERY SERVICE TO LAW REVIEWS***

1. As an academic staff member (includes HDR candidates), you are included on the ExpressO Institutional Account under your Deakin email address. ExpressO is the leading online delivery service to law reviews. With a selection of over 800 reviews to choose from, we would like to encourage you to use ExpressO. To access your account, follow these steps:
2. Go to <http://law.bepress.com/expresso> and click "My Account". When prompted to log on, please enter your email address and password. If this is the first time you are accessing your account, enter your authorized email address, leave the password field blank and click "Login". You will then have the opportunity to enter a password to use for future access.
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4. <http://law.bepress.com/expresso/tutorials.html>
5. Please also feel free to visit the ExpressO FAQ Author page where many of your questions will be answered:
6. <http://law.bepress.com/expresso/faq_authors.html>
7. If you are prompted to pay for your submission, check to make sure you are using the same email address authorized by your institution for use on ExpressO.
8. If you should have any questions or need any assistance with your submission, please feel free to reach out to the ExpressO support contact, Jennifer Todd, by phone at 510.665.1200 Ext. 2 or by email to support@law.bepress.com.

## RESEARCH IMPACT

**Rachel Anne Carter**, ‘Catastrophic Risk Insurance in Australia…with the G20 Australian Presidency in 2014 now is our chance to shine’ (poster – invited). September 2013- AFAC (Australasian Fire and Emergency Services Authority Council) and Bushfire Cooperative Research Centre Annual Conference, Melbourne, Australia

**Mirko Bagaric’s work was cited in the following judgments**:

1. **INTERNATIONAL COURTS**
2. *Public Prosecutor v Tan Cheng Yew and another appeal* [2012] SGHC 241

Citing:**Mirko** **Bagaric** in (2011) *Punishment & Sentencing: a Rational Approach* Cavendish Publishing Limited

1. **AUSTRALIAN COURTS**
2. *Confidential and Minister for Immigration and Citizenship* [2013] AATA 237

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

**Mirko Bagaric** & **Theo Alexander’s work was cited in the following judgments:**

1. **INTERNATIONAL COURTS**
2. *R. v. Foley* 2013 ONCJ 26

Citing: **Mirko Bagaric** and **Theo Alexander**, ‘The capacity of criminal sanctions to shape the behaviour of offenders: Specific deterrence doesn’t work, rehabilitation might, and the implications for sentencing’ (2012)36 *Criminal Law Journal* 159.

1. **AUSTRALIAN COURTS**
2. *R v Coffey* [2012] NSWDC 282
3. Citing: **M Bagaric** and **T Alexander**, ‘(Marginal) General Deterrence Does not Work and what it means for Sentencing’ (2011) 35 *Criminal Law Journal* 269

## LAW SCHOOL RESEARCH SEMINARS SCHEDULE

**TRIMESTER 2**

**FRIDAY, 12 JULY**

Prof Peter Hodgson, Director of the Institute for Frontier Materials http://www.deakin.edu.au/research/ifm/staff.php?contact\_id=107&style=2

Lifting research standards to ERA Level 4 (or its equivalent)

**FRIDAY, 19 JULY**

Alison Hadfield, Director Research and Research Training, Deakin Research, Deakin University [www.deakin.edu.au/research](http://www.deakin.edu.au/research)

**FRIDAY, 26 JULY**

Angela Daly, Research Fellow, Swinburne University

Legal and regulatory issues for 3D printing

This presentation will provide an introduction to 3D printing and some of the legal and regulatory issues that are accompanying it. Firstly, a brief overview of 3D printing and scanning technologies will be given along with a summary of the industry's value chain and structure. Then there will be a discussion of intellectual property concerns that have already been raised and other problems regarding for instance the production of dangerous and criminal items. Based on the experience with previous 'disruptive technologies' and particularly those which have involved the digitisation of creative content, there will then be a critical consideration of the desirability and practicalities of introducing law and regulation to deal with these new situations, or whether better solutions would be found in the extra-legal realm.

**Angela Daly** has ten years of experience in academia, activism and policy-making concerning the law, ethics and technology. She is currently a postdoctoral researcher in media and communications at Swinburne University of Technology in Melbourne, a member of Electronic Frontiers Australia's board, and a 4th year PhD researcher at the European University Institute (EUI) in Florence, Italy, working on a thesis entitled 'corporate dominance of the Internet' which will be defended in late 2013. In early 2012, she was a visiting researcher in the Law School at Stanford University, California. She has worked at the Electronic Frontier Foundation in San Francisco, Ofcom in London, and with European Alternatives and the British Council on projects connecting and empowering young people in Europe and the Middle East and North Africa through communications technologies. Angela has an MA in Jurisprudence from Balliol College, University of Oxford, an LLM in French and European Law from the Universite de Paris 1 Pantheon-Sorbonne and an LLM in Comparative, European and International Law from the EUI.

**FRIDAY, 2 AUGUST**

Prof Christoph Antons

1. **FRIDAY, 30 AUGUST**
2. Giuseppe Carabetta
3. ‘Police and Industrial Relations’
4. **TORTS, PERSONAL INJURY, JURISPRUDENCE, ECONOMICS, ETC RESEARCH HUB**
5. Wednesday, 24 July 2013 at 12pm
6. Carol Newlands will present:
7. ‘Judicial review of Medical Panel assessments’
8. Burwood: BL Other eMoot Court LC Level 4 lc4.06
9. Waterfront to be advised.
10. **NEIL ARCHBOLD MEMORIAL TRAVEL AWARD AND MEDAL**
11. Applications for the Neil Archbold Memorial Travel Award and Medal are closing on **31 July 2013.**
12. Neil Archbold Memorial Travel Awards are to be awarded each year to the two Deakin University higher degree by research candidates who produce the best peer-reviewed journal articles:
13. One award will be made available to a candidate in the sciences (in recognition of Professor Archbold’s home discipline). This category is NOT restricted to applicants from the Faculty of Science and Technology.
14. The second award will be made available to a candidate in the humanities/social sciences.
15. The travel awards, of $3000 each, are to be used during candidature for research-related travel.
16. The winners will also be presented with a medal at graduation or some other significant event.

### ****Eligibility****

1. Applicants must have completed at least 12 months (full-time equivalent) higher degree by research candidature at Deakin University by the closing date for applications.
2. Only peer-reviewed journal articles which have been published or received final approval for publication will be considered. (Peer-reviewed conference papers will not be considered.)
3. The journal article must have been completed since candidature commenced.
4. A copy of the journal article must be submitted with the application.
5. An applicant may submit only one journal article per round.
6. The article must be based on original research (review papers are not acceptable) and the applicant must have been the main contributor.
7. A copy of the journal article as well as evidence that the article has been published or received final approval for publication must be provided by the application closing date. It is the applicant's responsibility to provide this evidence.
8. All supporting statements and endorsements must be obtained by the applicant prior to lodging the application.

### ****Selection of Winners****

1. The winners will be selected by the Scholarships Subcommittee at its meeting in September each year. Applicants will be notified of the outcome in September.

### To apply

1. Please complete the [Application Form (169 KB)](http://www.deakin.edu.au/current-students/assets/resources/research/scholarships/2013-neil-archbold-application-form.doc) and send to research-scholarships@deakin.edu.au
2. Please read the [Terms and Conditions (84 KB)](http://www.deakin.edu.au/current-students/assets/resources/research/scholarships/2013-neil-archbold-terms-and-conditions.pdf) of this award.
3. For further information, please contact the Research Scholarships Officer (Ph. 03 5227 2564/ Email: research-scholarships@deakin.edu.au) [(26 KB)](http://www.deakin.edu.au/current-students/assets/resources/research/scholarships/2011-neil-archbold-terms-and-conditions.doc)
4. **GRANT SCHEMES**
5. I have just received the following notification:
6. The Academy of the Social Sciences in Australia have advised that they are seeking applications for their programme of workshops for the 2014/2015 round.
7. About the Workshop Program
8. The Academy’s Workshop Program aims to advance knowledge through in-depth discussion, and to promote its application by the dissemination of workshop outcomes through publication. In particular, the aim of the Workshop Program is to identify issues of national concern in the social sciences and to focus specialist attention on them. A related aim is to position the Workshop Program at the cutting edge of social science research in this country.
9. Workshops funded under the 2014/15 round are to be held **between 1 July 2014 and 30 June 2015**.
10. The **closing date** for submission of proposals to the Academy is **Friday 11 October 2013.**
11. **The maximum amount that can be granted to anyone workshop is $9,000 (although not all workshops may be funded to this level).**
12. Proposals must be submitted by email to Margaret.Blood@anu.edu.au  on the application form available for download, with the guidelines, from the Academy’s website at:
13. <http://www.assa.edu.au/programs/workshop>. Please note that these may not be available on the website till mid-next week. They are attached to the *Research Report*.
14. You will need to download and save the form and then you can complete the saved document.
15. The Academy’s website includes information on workshops to be held over the next 18 months
16. <http://www.assa.edu.au/events/workshops/2013>
17. as well as past workshops
18. <http://www.assa.edu.au/events/workshops/2012>
19. Interested applicants should lodge a Notice of Intent to Submit as soon as possible so a case manager can be assigned to applicants (the email template for NOIS’ is available at <http://www.deakin.edu.au/research/grants/apply.php> )
20. Final applications must be submitted to research-grants@deakin.edu.au by **Monday 30 September 2013** so we can coordinate submission by the external due date.
21. **GRANTS.GOV (US)**
22. For academics and HDR candidates with US citizenship:
23. <http://www07.grants.gov/search/search.do;jsessionid=qtwLRQjSSQLmxly4CH4n31cwTTmnCCHWTq5mT11mQcG1t7FfRC2R!299454320?mode=CATSEARCH&fundActivity=LJL>
24. **FORTHCOMING EVENTS**
25. Jean-Francois Desvignes-Hicks, senior consultant from Thomson Reuters, will provide a training session on Web of Knowledge for Burwood academics and researchers
26. The session will be held at Burwood library orange computer lab (V2.51) on Thursday July 18th from 12pm-1pm.
27. Available seating: 24
28.
29. The proposed content of the session is as follows:

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| --- | --- |
|  **Choice** | **Module** |
| √ | Overview of the platform |
|  | Administrative tools (usage reporting  information) |
| √ | Full text links |
|  | Basic search |
| √ | Advanced search |
| √ | Refine and analyse results |
|  | Related articles |
| √ | Organisation unification |
| √ | Endnotes Web |
| √ | ResearcherID and ORCID |
| √ | Citations in WoK |
| √ | Citation reports |
| √ | Cited References |
| √ | Alerts in WoK |
|  | Save and export results |
| √ | WoS: Web of Science categories |
| √ | WoS:Author search |
| √ | WoS: BkCI |
| Just a reference to the various databases will be sufficient. | DCI |
| BIOSIS |
| Biological Abstracts |
| Current Contents |
| Derwent |
| CABI |
| Chinese Science Citation Database |
| FSTA |
| Inspec |
| MEDLINE |
| Zoological Record |