**DEAKIN LAW SCHOOL RESEARCH REPORT**

**(No 12 of 2012)**

**RECENT PUBLICATIONS**

Congratulations to the authors of the following recent publications:

Rinaldi, Mark, **Lambropoulos, Victoria** and Millar, Rohan 2012, Fair work legislation: 2011-2012 overview , in Fair Work Legislation, Thomson Reuters, Australia, pp.xix-xxvii (<http://dro.deakin.edu.au/view/DU:30048894>).

**Fu**, **Jane** 'Derivatives Actions as a Mechanism for Protection of the Minority Shareholders in China: Theory, Law and Practice' in Sylvia Kierkegaard (ed) Contemporary Private Law  at 390 - 402, ISBN: 978-87-994854-1-3.

**Allen, Dominique**, ‘Mass Resignation from the VEOHRC Board’ (2012) 37(3) *Alternative Law Journal* 202

**Allan, Sonia** 2012, ‘Donor identification 'kills gamete donation? A response , *Human Reproduction*’ (<http://dro.deakin.edu.au/view/DU:30048931>).

**PUBLICATION *DRO* GUIDELINES**

Dear Authors, please make sure that you 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).

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

‘Please continue to report your research publications as soon as they become available - instructions for reporting research publications are on the Faculty Research website at: <https://www.deakin.edu.au/buslaw/research/publications.php>

You can review research publications recorded for you, your School or the Faculty at:  <http://www.deakin.edu.au/research/admin/pubs/reports/database/dynamic/output/search/index.php>

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.’

**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>

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’.

**GRANT FUNDING SUCCESSES**

**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**

**RESEARCH RELATED ACTIVITIES**

**PAST ACTIVITIES**

**Lang Thai** presented a joint paper at the Australiasian Law Teachers Association Conference at the University of Sydney in July 2012.  Her paper was on “Statutory Derivative Actions in Australia and New Zealand: What can we learn from each other?”  The paper has been accepted for publication as a refereed article and will be published in the 2012 issue in New Zealand Universities Law Review, an A\* journal.

**Ben Hayward** presented paper on ‘The Extent to which Case Law Following Queensland's Controversial *Eisenwerk* Decision is Consistent with the Federal Government's 'Pro-Arbitration' Policy at the ANU National Graduate Law Conference. The paper will be submitting as an article to the Federal Law Review.

**Pieter Badenhorst** delivered a paper on 20 Aug 2012 at the Annual  Private Law and Social Justice Conference (@Nelson Mandela Metropolitan UNi, Port Elizabeth) entitled: “Large scale expropriation of mineral rights in South Africa: The Agri South African fiasco”

**James Farrel and Lucinda Jordan** wrotean excellentsubmission for the Department of Justice's consultation on diversion programs for young people (attached).

**Samantha Hepburn**, **Lidia Xynas** together with Dr Jaynes from the Deakin Graduate School of Business have submitted to the Department of Climate Change, Energy and Efficiency pursuant to their Impacts and Adaptation Grants Program a competitive grant application for $500.000 to complete their evaluation of the impact of the Carbon Credits (Carbon Farming Initiative) Act 2011 (Cth) upon the eight climate change clusters around Australia. Best of luck!

**FORTHCOMING RESEARCH ACTIVITIES**

Apart from presenting our past activities, we have decided that the website should also display our present and future research activities.

Consequently, the new School Research website will have a calendar of forthcoming events either organised by our **academics** and **HDR students**, or at which they are presenting papers, key-note addresses, or chairing sessions.

So please inform Suzi and me of the ***confirmed*** forthcoming activities together with the *link* to the event, if one exists (or a leaflet about it).

**LAW SCHOOL RESEARCH SEMINAR SCHEDULE**

**FRIDAY, 12 OCTOBER 2012**

Dr Firew Tiba

**FRIDAY, 19 OCTOBER 2012**

Dr Jane Fu

The Legal Issues Concerning Chinese Companies' Investment in Australia: Implications for Australia-China Free Trade Agreement Negotiations".

**FRIDAY 30 NOVEMBER**

ProfIngo Saenger

**FRIDAY, 16 NOVEMBER 2012**

Dr Andrew Torre

Copyright: A Case Study in the Transaction Costs Theory of Law

**SCHOOL RESEARCH HUB MEETINGS**

**SAVE THE DATE:**

Prof Christoph Antons is convening two high profile workshops at the **Deakin City Campus** (see attached flyer):

**1-2 November 2012**:

*Intellectual and cultural property*

Keynote speakers from overseas at the workshop will be Prof. Rosemary Coombe (York University, Toronto) and Prof. Robert Paterson (University of British Columbia).

**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**

**HDR INFORMATION**

**HRD Candidates’ IT privileges**

‘At its meeting on Monday 1 October, Research and Research Training Committee received a report from Ms Michelle Marinovic, Business Relationship Manager, Deakin eSolutions, regarding IT privileges for HDR candidates (attached).

The Committee noted that Deakin eSolutions had recently implemented a number of changes for the benefit of HDR students, including increased email and internet quotas and the generation of the ‘Research Contacts Management Tool’ and ‘[Top tech tips for HDR students’](http://deakin.edu.au/its/top-10-HDR.php).

Ms Marinovic advised the Committee that software licensing for HDR candidates was an area that Deakin eSolutions was continuing to work on. She further advised that obtaining information on software licencing arrangements for Faculties, Institutes and Strategic Research Centres would help Deakin eSolutions in assisting HDR candidates.

Ms Marinovic can be contacted via email [michelle.marinovic@deakin.edu.au](mailto:michelle.marinovic@deakin.edu.au) or tel 522 78273.  She also advised the Committee that she is happy to provide the Deakin eSolutions checklist for software licensing to those interested.’

**OUR HRD 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 HRD candidates (including members of the Law School undertaking their HRD 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*