

# LLB NEWSLETTER

**Edition 9, 2008 (4 September 2008)**

Welcome to the ninth edition of the Melbourne LLB Newsletter for 2008. The purpose of this publication is to inform you of key issues and events related to your studies. If you need any further clarification on anything, please contact the Melbourne Law School Student Centre on 8344 4475, or the contact listed.

## meetings with the associate dean (undergraduate)

Every two weeks for the rest of the semester, the Associate Dean (Undergraduate), **Associate Professor Maureen Tehan**, will be available to answer questions and discuss any issues students may have in relation to any aspect of the LLB.

Please take advantage of this opportunity to obtain information on your course, discuss difficulties, make suggestions, and generally contribute to ensuring the LLB program works well and meets your needs.

The meetings will be very informal and you can come along at any time between 1:00 and 2:00pm.

The meetings will held on **Wednesdays** between **1:00 and 2:00pm** in **Room 109** on the following dates:

- **10 September 2008**
- **8 October 2008**
- **22 October 2008**

A report on the student information session of 30 July 2008 is available [here](#).

## guest lecture series

Queen v Tang

Speaker: **Ms Wendy Abraham QC**, Senior Counsel, Commonwealth Director of Public Prosecutions

When: **Tuesday 9 September 2008 at 12:45 to 1:45pm**  
Where: **G08, Melbourne Law School**

## English Group Litigation: Collective Redress Defeated by Fear, Hypocrisy, and Greed

Speaker: **Professor Adrian Zuckerman**, Professor of Civil Procedure, Oxford University

When: **Tuesday 16 September 2008 at 12:45 to 1:45pm**  
Where: **G08, Melbourne Law School**

## The Role of Counsel Assisting an Inquiry: The Private Kovco Inquest

Speaker: **Mr John Agius SC**, Barrister, NSW Bar

When: **Tuesday 7 October 2008 at 12:45 to 1:45pm**  
Where: **G08, Melbourne Law School**

The Guest Lecture Series is a series of weekly lectures in law and legal practice for Melbourne Law School students. Details of all forthcoming guest lectures for Semester 2, 2008, are available [here](#).

## guest lecture series: special session by the honourable robert hulls, mp, victorian attorney general

The Victorian Attorney General, **The Honourable Robert Hulls MP**, will be coming to Melbourne Law School for a special session of the guest lecture series and will discuss issues such as alternative dispute resolution, criminal justice reforms, and addressing disadvantage in the criminal justice system.

When: **Thursday 18 September 2008 at 1:00pm**  
Where: **GM15, Melbourne Law School**

## labour law seminar

Making Labour Law in Nepal: The ILO in Action

Speaker: **Mordy Bromberg SC**

The **Centre for Employment and Labour Relations Law** is pleased to invite you to its next Labour Law Seminar for 2008.

Many are familiar with the work of the International Labour Organization in setting international labour standards. What is often less well known and understood is the work that the ILO does to provide technical assistance to nation states that wish to revise their labour laws. At the moment the ILO is assisting Nepal in its process of reviewing its labour law framework. What are the labour law needs of a country like Nepal? What are the issues that concern employers and what are the issues that concern trade unions and their members? Can ILO standards meet reasonable expectations and does experience of our own labour law system in Australia assist?

Mordy Bromberg SC has for some time been involved as the ILO's international consultant on that project. In this seminar he will discuss some of these questions and also speak about the process involved in a labour law review of this kind.

The seminar is designed to offer some insight into the challenges of revising labour laws in a developing economy.

When: **Wednesday 10 September 2008 at 1:00 to 2:00pm**

Where: **Room G29, Melbourne Law School**

RSVP: Please register [online](#). Please note a light lunch will be served

## university of melbourne human rights forum: public lecture

### Beyond Beijing - Hopes and Fears on the Roof of the World

Speaker: **Dr Simon Bradshaw, Campaign Coordinator for the Australia Tibet Council**

Dr Simon Bradshaw will discuss Tibet after the Olympics.

Since March 2008 almost the entire Tibet Plateau has been sealed off to foreign visitors and international media. Combining evidence gathered at great risk from inside Tibet, a new report from the Washington-based International Campaign for Tibet provides the first detailed insight into new measures to silence dissent and consolidate central government control over the region. How has the human rights situation in Tibet changed since the March uprising? Can the post-Olympic period bring progress towards a peaceful resolution of the Tibetan situation? Can Australia influence the future of Tibet-China relations?

Drawing on the latest available information this brief presentation will attempt to answer these important questions.

Dr Simon Bradshaw is the Campaign Coordinator for the Australia Tibet Council. In 2007 he completed a PhD in the University of Melbourne's School of Philosophy, researching the traditional relationship between the land and people of Tibet. He has worked on environment and development projects in Australia, India and on his home island of Guernsey. Since 2007 he has campaigned full-time for the human rights and democratic freedoms of the Tibetan people and for meaningful negotiations between the Dalai Lama and the Chinese leadership towards a peaceful settlement of the Tibetan situation.

When: **Wednesday 10 September 2008 at 1:00 to 2:00pm**  
Where: **Moot Court Room, Old Quad Building, University of Melbourne**

## the history of the insanity plea: medical diagnosis and criminal culpability

Speaker: **Professor Joel Peter Eigen, Principal Fellow in the Department of Philosophy, University of Melbourne**

Since 1760, when the first medical witness appeared at London's central criminal court, the Old Bailey, to testify about insanity as a medical disease, medical practitioners have employed a host of clinical terms to address the common law's standard of culpable behaviour. Medical diagnoses such as mania and delirium, delusion and monomania, irresistible impulse and automatism have each been employed to bring clinical insight to the courtroom. These have often met with suspicion in the common law. This public lecture will survey the changing courtroom dynamics that have framed the evolution of medical terms connoting mental derangement in a forum that adamantly insisted on its own terms of engagement.

Joel Peter Eigen is the author of *Witnessing Insanity: Madness and Mad-Doctors in the English Court* (Yale, 1995), and *Unconscious Crime: Mental Absence and Criminal Responsibility in the Victorian Court* (Johns Hopkins, 2003). Professor Eigen is Principal Fellow in the Department of Philosophy, University of Melbourne 2008-2009.

Admission is free. Bookings are recommended. Tea and coffee will be served after the lecture.

Organized by the Department of Psychiatry in collaboration with the Department of Psychology, School of Behavioural Science, University of Melbourne.

When: **Thursday 11 September 2008 at 6:00 to 7:00pm**  
Where: **Sunderland Lecture Theatre, Medical Building, University of Melbourne**

RSVP: Email [psychiatryadmin@medicine.unimelb.edu.au](mailto:psychiatryadmin@medicine.unimelb.edu.au)

## university of melbourne human rights forum: dialogue

### After the Apology: A Dialogue on Reconciliation

The University of Melbourne Human Rights Forum in association with the Social Justice Initiative and Trinity College invite you to a dialogue on reconciliation.

The recent Rudd Government apology to the Stolen Generations has been viewed by many as a significant step in the reconciliation process. To what extent does the apology mark the beginning of a new relationship between indigenous and non-indigenous Australians? Where do we need to go from here? This dialogue will provide an opportunity to engage with leading indigenous thinkers on these issues.

- **Professor Larissa Behrendt**, Professor of Law and Director of Research, Jumbanna Indigenous House of Learning, University of Technology, Sydney
- **Commissioner Tom Calma**, Aboriginal and Torres Strait Islander Social Justice Commissioner and Race Discrimination Commissioner
- **Professor Ian Anderson**, Director, Onemda VicHealth Koori Health Unit and the Centre for Health & Society, and Deputy Head, School of Population Health, University of Melbourne
- **Kylie Belling**, actor and Artistic Director for Ilbijerri Aboriginal & Torres Strait Islanders Theatre Cooperative.

All welcome!

When: **Friday 12 September 2008 at 6:00 to 8:00pm**

Where: **Village Roadshow Theatrette, State Library of Victoria, 328 Swanston Street, Melbourne**

RSVP [human-rights@unimelb.edu.au](mailto:human-rights@unimelb.edu.au) with *Reconciliation* in the subject line.

## obama v mccain: who will win, does it matter? international public lecture

Speaker: **Ambassador Derek Shearer, Chevalier Professor of Diplomacy and World Affairs and Director of Global Affairs at Occidental College in Los Angeles, USA**

Ambassador Derek Shearer will provide an "insider" analysis of the upcoming US Presidential election. He has served as a senior advisor to many Democratic candidates for President, including Bill Clinton in 1992 and Al Gore in 2000. He co-authored the Clinton-Gore campaign program *Putting People First*. In the current primary season, he has been a foreign policy advisor to Senator Hillary Clinton. He also knows Senator Obama, the Democratic nominee, who studied at Occidental College in Los Angeles where Ambassador Shearer holds the Chevalier chair in Diplomacy. He was a university classmate of the current US President George Bush, and has worked with Republican Senators on international matters while serving as US Ambassador to Finland. He writes regular political commentary for *The Huffington Post*, the leading political and cultural website in the United States.

Ambassador Shearer will explain how the American public views the two candidates, Senators Obama and McCain; what the key issues are in the race; what factors might determine the outcome of the election; and what policy outcomes might result, depending on which one wins the Presidency. He will also explain the role of the media and special political action groups in affecting the outcome of the contest.

When: **Thursday 18 September 2008 at 6:30 to 7:30pm**

Where: **GM15, Melbourne Law School**

To register for this event, please click [here](#).

Enquiries: Tamar Heath, tel 03 8344 1181, email [theath@unimelb.edu.au](mailto:theath@unimelb.edu.au)

## **suits and the city: networking event for young professionals**

Details and registration information are available on the [Law Institute of Victoria](#) website.

When: **Friday 19 September 2008 at 6:30 to 8:30pm**

Where: **RACV Tower, Level 17, 501 Bourke Street, Melbourne**

## **get ready for work series: october 2008**

The Law School's Legal Research Skills Adviser, Natalie Wieland, is providing another four part series to help get you ready to work in a firm. This will provide you with the skills you need to be both effective and efficient when taking on research tasks. When completing a clerkship or traineeship, you will be required to complete numerous research tasks. By having the necessary skills you will become a highly valued employee and will be called on regularly to participate in client matters.

Each session will consist of a one hour lecture and a research task to be completed in class working in groups.

At the completion of the four workshops you will receive certification that you have successfully attended and completed the tasks.

When: **Wednesdays 1, 8, 15, and 22 October 2008 at 10:30am to 12:30pm**

Where: **Large Computer Lab, Law Library**

Further details are available on the [Melbourne LLB](#) website.

How to book: Email [nwieland@unimelb.edu.au](mailto:nwieland@unimelb.edu.au)

Please note numbers are limited.

## human rights mooting competition news

The two teams entered by Melbourne Law School in the Castan Centre for Human Rights Mooting Competition have advanced through the preliminary rounds and semi finals and will now meet each other in the grand final to be held in the **Red Court in the Supreme Court of Victoria on Friday 5 September 2008 at 5:30pm**. Staff and students are welcome to attend.

Congratulations to both teams for their success to date and we wish them the best of luck in the final.

The team members are:

Team 1: **Dimitri Ternovski, Devon Little, Rebecca Hughes**

Team 2: **Laura Bellamy, Chris Hibbard, Michael Power**

## melbourne graduate expo

The Melbourne Graduate Expo provides a great opportunity to discuss your graduate study options in detail with our highly skilled academic and admissions Graduate School staff. The University of Melbourne graduate programs take you further, faster!

Register [online](#) now!

When: **Wednesday 10 September 2008 at 3:00 to 8:00pm**

Where: **Ground Floor, Sidney Myer Asia Centre, University of Melbourne**

More information is available [online](#).

## mccallum medal competition 2008

The McCallum Medal Competition is open to all Law and PLT students and all young lawyers throughout Australia who were admitted to legal practice on or after 21 October 2006.

You need to prepare a presentation synopsis on an employment law or industrial relations topic (see [Competition Rules](#) for topics). Five finalists will present at a function on 21 October 2008 hosted by Clayton Utz Lawyers, which will be chaired by Professor Ron McCallum AO, former dean of the Faculty of Law, University of Sydney.

Please submit your synopsis (maximum 1500 words) **by 9 September 2008**.

Further details are available in the [flyer](#).

## melbourne university law review, volume 32(1)

The **Melbourne University Law Review** is pleased to announce the publication of Volume 32(1). All staff and students are encouraged to collect their complimentary copy of the Review from the journal's office on Level 2.

The latest issue includes the following articles:

- *Constitutional Choices in the Work Choices Case, or What Exactly Is Wrong with the Reserved Powers Doctrine?*  
Nicholas Aroney
- *Government Liability in Negligence*  
Mark Aronson
- *The Review of Australia's Asylum Laws and Policies: A Case for Strengthening Parliament's Role in Protecting Rights through Post-Enactment Scrutiny*  
Angus Francis
- *Holding the Government to Account: The 'Stolen Wages' Issue, Fiduciary Duty and Trust Law*  
Stephen Gray
- *Incomplete Contracts, Contingent Fiduciaries and a Director's Duty to Creditors*  
Andrew Keay and Hao Zhang
- *In the Shadow of a Criminal Record: Proposing a Just Model of Criminal Record Employment Checks*  
Bronwyn Naylor, Moira Paterson and Marilyn Pittard
- *Seven: The Corporations Act 2001 (Cth), Corporate Governance and Termination Payments to Senior Employees*  
Kym Sheehan and Colin Fenwick
- *Guilty Pleas or Trials: Which Does the Barrister Prefer?*  
Peter W Tague
- *"Know Thine Enemy as Thyself": Discerning Friend from Foe under Anti-Terrorism Laws*  
Clive Walker
- *An Analysis of Discretionary Rejection in Relation to Confessions*  
CR Williams
- *Leichhardt Municipal Council v Montgomery: Non-Delegable Duties and Roads Authorities (Case Note)*  
Christian Witting

## feedback/comments

Please send any feedback/comments or suggestions you have about this newsletter to **Tom Hewitt-McManus**.

## previous editions of LLB newsletter

Previous editions of the newsletter are available on the **Melbourne LLB website**.