

Publications 2005

* Meet criteria as DEST research publications
+ student

4.1 Staff publications

Books (authored)*

Paterson, M. R. *Freedom of Information and Privacy in Australia*. Lexis Nexis Butterworths, Chatswood, NSW. (2005)

Books (other) - editorship, revision or new edition

Bronitt, S and McSherry, B.M. *Principles of Criminal Law*. Ed 2. Lawbook Co., Sydney, NSW, (2005)

Fox, R.G. *Victorian Criminal Procedure: State and Federal Law*, Ed 12. Monash Law Book Co-operative Ltd., Clayton, Vic. (2005)

Groves, M.N. *Law and Government in Australia*. The Federation Press, Leichhardt, NSW, (2005)

Paterson, J., Robertson, A. and Heffey P. *Principles of Contract Law*, Ed 2. Lawbook Co., Sydney, NSW. (2005)

Taylor, G. *A Great and Glorious Reformation: Six Early South Australian Legal Innovations*. Wakefield Press, Kent Town, SA, (2005)

Waller, L and Williams, C.R. *Criminal Law. Text and Cases*. Ed 10. Lexis Nexis Butterworths, Chatswood, NSW. (2005)

Book chapters*

Bronitt S and McSherry B.M. 'International and Transnational Crimes'. In S.Bronitt and B.M.McSherry *Principles of Criminal Law*. Lawbook Co., Sydney, NSW, (2005) 851-916.

Bryant, T.L. and Jessup, B.S. 'Fragmented Pragmatism: The Conclusion and Adoption of International Treaties in Vietnam'. In J.Gillespie and P. Nicholson (Eds.). *Asian Socialism and Legal Change: The Dynamics of Vietnamese and Chinese Reform*. Asia Pacific Press & ANU E Press, Canberra, ACT, Australia, (2005) 288-309.

Campbell, E.M. and Groves, M.N. 'Polycentricity in Administrative Decision-Making'. In M.N.Groves (Ed.). *Law and Government in Australia*. The Federation Press, Leichhardt, NSW, (2005) 213-240.

Epstein, J.A. 'The Quiet Revolution in Australia - The Changing Role of the Judge in Civil Proceedings'. In N.Trocker and V.Varano (Eds.). *The Reforms of Civil Procedure in Comparative Perspective*. G. Giappichelli Editore, Torino, (2005) 185-215.

Evans, J and Bowman, D.M. 'Getting the contract right'. In G.Hodge and C.Greve (Eds.). *The Challenge of Public-Private Partnerships: Learning from International Experience*. Edward Elgar, Cheltenham, UK, (2005) 62-80.

Freiberg, A. 'Sentencing'. In D.Chappell and P.Wilson (Eds.). *Issues in Australian Crime and Criminal Justice*. LexisNexis Butterworths, Chatswood NSW, (2005) 139-168.

Goldsworthy, J.D. 'Manner and Form Revisited: Reflections on Marquet's Case'. In M.N. Groves (Ed.). *Law and Government in Australia*. The Federation Press, Sydney, NSW, (2005) 18-43.

Greve, C. and Hodge, G.A. 'Introduction'. In G.Hodge and C.Greve (Eds.). *The Challenge of Public-Private Partnerships: Learning from International Experience*. Edward Elgar, Cheltenham, UK, (2005) 1-21.

Groves, M.N. 'Judicial Review and Ministerial Responsibility'. In M.N.Groves (Ed.). *Law and Government in Australia*. The Federation Press, Leichhardt, NSW, (2005) 82-109.

Hodge, G.A. and Greve, C. 'Public-private partnerships: a policy for all seasons?'. In G. Hodge and C.Greve (Eds.). *The Challenge of Public-Private Partnerships: Learning from International Experience*. Edward Elgar, Cheltenham, UK, (2005) 305-331.

Hodge, G.A. 'Public-private partnerships: the Australasian experience with physical infrastructure'. In G.Hodge and C.Greve (Eds.). *The Challenge of Public-Private Partnerships: Learning from International Experience*. Edward Elgar, Cheltenham, UK, (2005) 305-331.

Lee, H.P. 'The Reasonably Appropriate and Adapted Test and the Implied Freedom of Political Communication'. In M.N. Groves (Ed.). *Law and Government in Australia*. The Federation Press, Sydney NSW, (2005) 59-81.

Lindsay, D.F. 'The Relationship between General Law Protection of Privacy and Information Privacy Laws'. In A.R.Saad (Ed.). *Personal Data & Privacy Protection*. LexisNexis, Malaysia, (2005) 1-42.

Neave, M.A. 'Law Reform and Social Justice'. In B. Opeskin and D. Weisbrot (Eds.). *The Promise of Law Reform*. The Federation Press, Leichhardt, NSW, (2005) 358-373.

O'Connor, P.A. 'Registration of Invalid Dispositions: Who Gets the Property?'. In E.Cooke (Ed.). *Modern Studies in Property Law Vol III*. Hart Publishing, Oxford England, (2005) 45-64.

Paterson, J, Robertson, A and Heffey, P. 'Capacity'. In J Paterson, A Robertson and P Heffey, *Principles of Contract Law*. Lawbook Co, Sydney, (2005) 145-154.

Paterson, J, Robertson, A and Heffey, P. 'Restitution'. In J Paterson, A Robertson and P Heffey, *Principles of Contract Law*. Lawbook Co, Sydney, (2005) 196-219.

Pittard, M.J. 'Rethinking Place of Work: Federal Labour Law Framework for Contemporary Home-Based Work and Its Prospects in Australia'. In J.Murray (Ed.). *Work, Family and the Law*. The Federation Press, Leichhardt, NSW, (2005) 148-181.

Powles, G.C. 'The Challenge of Law Reform in Pacific Island States'. In B. Opeskin and D. Weisbrot (Eds.). *The Promise of Law Reform*. The Federation Press, Leichhardt, NSW, (2005) 404-421.

Spagnolo, L. 'Legal Pitfalls for Family Businesses: When Should the Alarm Bells Start Ringing?'. In L.Glassop and D.Waddell (Eds.). *Managing the Family Business*. Heidelberg Press, Heidelberg Victoria, (2005) 105-129.

Taylor, G. 'Early South Australia - an innovatory place'. In G.Taylor. *A Great and Glorious Reformation: Six Early South Australian Legal Innovations*. Wakefield Press, Kent Town, SA, (2005) 7-13.

Taylor, G. 'Hamburger to go? The Torrens system'. In G.Taylor. *A Great and Glorious Reformation: Six Early South Australian Legal Innovations*. Wakefield Press, Kent Town, SA, (2005) 14-49.

Tran-Nam, B and Glover, J.S. 'The Compliance costs of the GST to small business: some preliminary results based on a case-study approach'. In R.Fisher and M.Walpole (Eds.). *Global Challenges in Tax Administration*. Fiscal Publications, Birmingham UK, (2005) 288-302

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Mfodwo, K.S.B and Snushall, B. 'Emerging Environmental Trends'. In G. Kerr and B. Snushall (Eds.). *Future Environmental Policy Trends to 2020: Impact on Ship Design and Operations*. Sea Power Centre, Australia, (2005) 21-84.

Snushall, B. and Mfodwo, K.S.B. 'An Environmentally Sustainable Warship' In G. Kerr and B. Snushall (Eds.). *Future Environmental Policy Trends to 2020: Impact on Ship Design and Operations*. Sea Power Centre, Australia, (2005) 85-94.

Journal articles (fully refereed)*

Barkehall Thomas, S.J. 'Electronic Funds Transfer and Fiduciary Fraud'. (2005) 13(2) *The Journal of Business Law* 48-69

Barkehall Thomas, S.J. 'Fiduciary cheque fraud: should banks be alert or alarmed?'. (2005) 16(3) *Journal of Banking and Finance Law and Practice* 17-40

Barraclough, A and Waincymer, J. 'Mandatory Rules of Law in International Commercial Arbitration' (2005) 27(11) *Melbourne Journal of International Law* 205-244

+ Beecher, G. 'Disability standards: the challenge of achieving compliance with the Disability Discrimination Act'. (2005) 13(2) *Australian Journal of Human Rights* 139-170

+ Bracka, J.M. 'Past the Point of No Return ? The Palestinian Right of Return in International Human Rights Law'. (2005) 34(2) *Melbourne Journal of International Law* 272-312

Clough, J.A. 'Not-so-innocents abroad: corporate criminal liability for human rights abuses'. (2005) 29(2) *Australian Journal of Human Rights* 1-32

Clough, J.A. 'Will the Punishment Fit the Crime? Corporate Manslaughter and the Problem of Sanctions'. (2005) 23(2) *The Flinders Journal of Law Reform* 113-131

+ Crilly, B. 'Guideline Judgments in Victoria'. (2005) 8(1) *Monash University Law Review* 37-63

+ Danne, A.P. 'Customary and Indigenous Law in Transitional Post-Conflict States: A South Sudanese Case Study'. (2005) 27(1) *Monash University Law Review* 199-228

Davison, M. J. and Hugenholtz, P.B. 'Football Fixtures, Horseraces and Spin-offs: The ECJ Domesticates the Database Right'. (2005) 22(2) *European Intellectual Property Review* 113-118

+ Dempsey, L. 'Western Australia State Administrative Tribunal: A long time coming - Worth the wait'. (2005) (January) *Australian Journal of Administrative Law* 47-64

Duns, J.C. and Glover, J.S. 'The Taxation Priority: An Australian Perspective'. (2005) 12(1) *International Insolvency Review* 171-186

- Evans, A.H. 'Encouraging Lawyer's Values in a Faith Conscious World'. (2005) 12(1) *Interface: A Forum for Theology in the World* 6-22
- Evans, A.H. and Palermo, J. 'Gender & Ethics'. (2005) 13(1) *Law Institute Journal* 40-45
- Evans, A.H. and Palermo, J. 'Zero Impact: Are Lawyers' Values Affected by Law School?'. (2005) 12(1) *Legal Ethics* 240-264
- Freiberg, A. 'Managerialism in Australian Criminal Justice: RIP for KPI's?' (2005) 2(2) *Monash University Law Review* 12-36
- Gaze, E.J. 'Quality Part-time Work: Can Law provide a Framework?' (2005) 29(1) *Labour and Industry* 89-111
- Gerber, P. 'Burning Down the House to Roast the Pig: The High Court Retains Advocates' Immunity'. (2005) 17(1) *University of New South Wales Law Journal* 646-667
- Gerber, P. and Mailman, B. 'Construction Litigation: Can We Do It Better'. (2005) 26(3) *Monash University Law Review* 237-257
- + Giblin-Chen, R. 'Rewinding Sony: An Inducement Theory of Secondary Liability'. (2005) 26(1) *European Intellectual Property Review* 428-437
- Glover, J.S. 'Resettlements: Revenue consequences of varying discretionary trusts'. (2005) 23(1) *Australian Law Journal* 620-640
- Glover, J.S. 'Taxing liquidation distributions: An assessment of Australian deemed dividend and capital gains regimes and how they interrelate'. (2005) 16(1) *Australian Tax Review* 88-103
- Goldsworthy, J.D. 'Is Parliament Sovereign? Recent Challenges to the Doctrine of Parliamentary Sovereignty'. (2005) 27(12) *New Zealand Journal of Public and International Law* 7-37
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- Groves, M.N. 'Outsourcing and non-delegable duties'. (2005) 1(2) *Public Law Review* 265-271
- Hodge, G., Bowman, D.M. and Binks, P. 'Nanotech - The big business of small'. (2005) 8(3) *Monash Business Review* 24-29
- + Hoel, A.T. 'The Sentencing Provisions of the International Criminal Court'. (2005) 30(2) *The International Journal of Punishment and Sentencing* 37-69
- Joseph, S.L. 'Human Rights Committee: Recent cases'. (2005) 14(3) *Human Rights Law Review* 105-116
- Joseph, S.L. 'Rendering Terrorists and the Convention against Torture'. (2005) 19(1) *Human Rights Law Review* 339-346
- Kneebone, S.Y. 'Ruddock and Others v Taylor'. (2005) 15(3) *The Sydney Law Review* 143-166
- Kneebone, S.Y. 'What We Have Done with the Refugee Convention: The Australian Way'. (2005) 5(2) *Law in Context* 83-119

Kneebone, S.Y. 'Women within the Refugee Construct: Exclusionary Inclusion in Policy and Practice - the Australian Experience'. (2005) 5(1) *International Journal of Refugee Law* 7-42

+ Kyriakakis, J. 'Freeport in West Papua: Bringing Corporations to Account for International Human Rights Abuses under Australian Criminal and Tort Law'. (2005) 11(1) *Monash University Law Review* 95-119

Laryea, E. 'Facilitating Paperless International Trade: A Survey of Law and Policy in Asia'. (2005) 18(1) *International Review of Law Computers & Technology* 121-142

+ Le Mire, S. 'Striking off: Criminal lawyers and disclosure of their convictions'. (2005) 31(1) *The Australian Law Journal* 641-648

Lee, H.P. 'The Judicial Power and Constitutional Government - convergence and divergence in the Australian and Malaysian experience'. (2005) 30(5) *Constitutional Law and Policy Review* 45-57

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Lindsay, D. 'Fair Use and Other Copyright Exceptions: Overview of Issues'. (2005) 27(3) *Copyright Reporter* 4-12

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Ludlow, K.A. 'Genetically modified organisms and private nuisance liability'. (2005) 9(2) *The Tort Law Review* 92-121

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+ McBeth, A. and Joseph, S.L. 'Same words, different language: corporate perceptions of human rights responsibilities'. (2005) 31(1) *Australian Journal of Human Rights* 95-127

McSherry, B.M. 'Afterword: Options for the Reform of Provocation, Automatism and Mental Impairment'. (2005) 31(1) *Psychiatry, Psychology and Law* 44-49

McSherry, B.M. 'Indefinite and preventive detention legislation: From caution to an open door'. (2005) 79(10) *Criminal Law Journal* 94-110

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- Middleton, S. 'Matrimonial property reform: Legislation for the financial consequences of domestic violence'. (2005) 30(2) *Australian Journal of Family Law* 9-28
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- Monotti, A.L. 'Sufficiency of description: At what time is its adequacy considered?'. (2005) 11(1) *Australian Intellectual Property Journal* 152-164
- Monotti, A.L. 'To make an article for ultimate sale: the secret use provision in the Patents Act 1990 (Cth)'. (2005) 3(2) *European Intellectual Property Review* 446-457
- Naylor, B.G. 'Do not pass go: The impact of criminal record checks on employment in Australia'. (2005) 26(3) *Alternative Law Journal* 174-179
- O'Leary, D, Koleski, D, Kola, I, Hertzog, P.J. and + Ristevski, S. 'Identification and expression analysis of alternative transcripts of the mouse GA-binding protein (Gabp) subunits and 1'. (2005) 20(2) *Gene* 79-92
- O'Sullivan, M.J. 'Past Violations under International Human Rights Law: The Indigenous Stolen Generation in Australia'. (2005) 19(2) *Netherlands Quarterly of Human Rights* 243-272
- Palermo, J. and Evans, A.H. 'Australian Law Students' Values: How They Impact on Ethical Behaviour'. (2005) 3(1) *Legal Education Review* 1-23
- Penovic, T. and Sifris, A. 'Like a bird in a cage: children's voices and challenges to Australia's immigration detention regime'. (2005) 13(1) *International Journal of Equity and Innovation in Early Childhood (IJEIEC)* 32-44
- Penovic, T. 'Undermining Australia's international standing: the failure to extend human rights, protections to indigenous peoples affected by Australian mining companies' ventures abroad'. (2005) 29(3) *Australian Journal of Human Rights* 71-118
- Pittard, M.J. 'Agreements Straying Beyond Employment Matters: The Impact of the Agreement Validation Matters Legislation'. (2005) 6(2) *Australian Journal of Labour Law* 71-78
- + Raykovski, E. 'Continuous Disclosure: Has Regulation Enhanced the Australian Securities Market?'. (2005) 12(3) *Monash University Law Review* 269-302
- Rodrick, S. 'Defamation, the media and reporting documents on the court record'. (2005) 28(2) *Media & Arts Law Review* 171-207
- + Samarajewa, S. 'A New Model Contract Law for E-commerce in Sri Lanka'. (2005) 16(4) *Australian Journal of Asian Law* 95-105
- Sifris, A. 'Dismantling Discriminatory Barriers: Access to Assisted Reproductive Services for Single Women and Lesbian Couples'. (2005) 8(2) *Monash University Law Review* 229-268
- Sifris, A. 'Known semen donors: To be or not to be a parent'. (2005) 15(1 & 2) *Journal of Law and Medicine* 230-244
- Taylor, G. 'German Courts Decide Who is Jewish: On the Agreements Between the German State and Jewish Groups, and the Resulting Litigation'. (2005) 31(2) *Journal of Law and Religion* 397-421

- Taylor, G. 'Judicial reflections on the defence case in the summing-up'. (2005) 23(1) *Australian Bar Review* 70-88
- Taylor, G. 'Rape with mitigating circumstances'. (2005) 7(1) *Australian Bar Review* 331-357
- Taylor, G. 'Two English hearsay heresies'. (2005) 11(2) *International Journal of Evidence & Proof* 110-125
- Webster, L.L., Mertova, P. and Becker, J.M. 'Providing a Discipline-Based Higher Education Qualification'. (2005) 30(4) *Journal of University Teaching and Learning Practice* 75-83
- Williams, C.R. 'Lies as evidence'. (2005) 12(2) *Australian Bar Review* 313-330
- + Yannoulidis, S. 'Excusing Fleeting Mental States: Provocation, Involuntariness and Normative Practice'. (2005) 12(1) *Psychiatry, Psychology and Law* 23-35

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- Batagol, B.M. et al. 'Review of exposure draft of the Family Law Amendment (Shared Parental Responsibility) Bill 2005' (2005) 19(2) *Australian Journal of Family Law* 79-93.
- Campbell, S. 'Proportionality in Australian civil procedures: A preliminary review' (2005) 14(3) *Journal of Judicial Administration* 144-156.
- Chambers, R. 'The Unocal Settlement: Implications for the Developing Law on Corporate Complicity in Human Rights Abuses' (2005) 13(1) *Human Rights Brief* 14-16&36
- Freiberg, A. 'Problem-oriented courts: An update' (2005) 14(4) *Journal of Judicial Administration* 196-219.
- Freiberg, A. 'Sentencing: Trends and Issues' (2005) Winter 2005(86) *Reform* 7-10.
- Gaze, E.J. 'Twenty years of the Sex Discrimination Act: Assessing its achievements' (2005) 30(1) *Alternative Law Journal* 3-8
- Goldsworthy, J.D. 'Moderate versus strong Intentionalism: Knapp and Michaels Revisited' (2005) 42 *San Diego Law Review* 669-683
- Hyams, R. 'Clinical Legal Education Management and Assessment Software'. (2005) 6(Dec 2004) *International Journal of Clinical Legal Education* 177-198.
- Hyams, R. 'School Supervision of Children Outside School Hours in Australia: Who's responsible?' (2005) 34(3) *Journal of Law and Education* 347-360.
- Joseph, S.L. 'The Right to Housing, Discrimination and the Roma in Slovakia' (2005) 5(2) *Human Rights Law Review* 347-349
- Ludlow, K.A. 'Regulation of Agricultural Genetically Modified Organisms in Australia' (2005) 2(3) *Journal of International Biotechnology Law* 123-129
- Powles, G. 'Chiefly Systems and Pacific Island Constitutions: Comparative Trends Relevant for Samoan Studies' (2005) 1 *The Journal of Samoan Studies* 119 – 146
- Smith, L. 'Online Shopping: the Australian Experience'. (2005) 8(3) *Internet Law Bulletin* 44-47.

Letter or note

De Zwart, M. 'TCN Channel Nine v Network Ten (No 2)' (2005) 10(3) *Media and Arts Law Review* 249-256

Gaze, E.J. 'Recognition of Human Rights' (2005) 17(2) *Legaldate* 1-4.

Groves, M.N. 'A Parliamentary Attack on the Military Justice System' (2005) 29(6) *Criminal Law Journal* 325-330.

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Monotti, A.L. 'Changes to the Designs Laws in Australia' (2005) 27(2) *European Intellectual Property Review* 31-2.

Monotti, A.L. 'Fair basing of claims under section 40(3) of Patents Act 1990 (Cth): Lockwood Security Products Pty Ltd v Doric Products Pty Ltd (2005) 27(5) *European Intellectual Property Review* 99-101.

Monotti, A.L. 'Law reform in Australia' (2005) 27(9) *European Intellectual Property Review* 181.

Monotti, A.L. 'The concept of fraudulent imitation of a registered design under the /Designs Act 1906 /(Cth)' (2005) 27(11) *European Intellectual Property Review* 220-221.

Monotti, A.L. 'The scope of "manner of manufacture" under the /Patents Act 1990 http://www.austlii.edu.au/au/legis/cth/consol_act/pa1990109/ (Cth): /Grant v Commissioner of Patents / [2005] FCA 1100' (2005) 27(12) *European Intellectual Property Review* 244-245.

Reviews

Gaze, E.J. Book Review of 'Anti-Discrimination Law, ed. Christopher McCrudden' (2005) 30(2) *Monash University Law Review* 323-326

McSherry, B.M. 'Gerry Simpson (ed), War Crimes Law, Volumes I and II (Ashgate, 2004)' (2005) 31(2) *Monash University Law Review* 407-410

Taylor, G. Review: Federalism and Second Chambers: Regional Representation in Parliamentary Federations? The Australian Senate and German Bundesrat (2005) 54 (2) *International and Comparative Law Quarterly* 534-536

Conference publications (fully refereed)*

Groves, M.N. 'Ethics in Public Administration' *Shaping Administrative Law for the Next Generation: Fresh Perspectives. 2004 Administrative Law Forum*. Hobart, Tasmania 1-2 July 2004. Australian Institute of Administrative Law Inc., Canberra, ACT (2005) 60-84.

Webster, L. L., Nair, C.S. and Mertova, P. 'Quality & Law: The Current Student Experience' *Communicating Evaluation Outcomes: Issues and Approaches. Proceedings of the 2004 Evaluation Forum*. Melbourne Australia, 24-25 November 2004. Centre for Higher Education Quality, Monash University (2005) 107-115

Webster, L. L. and Mertova P. 'Narrative inquiry and reflective practice - two of a kind: a case study of the Graduate Certificate in Law Teaching' *The 11th Cambridge International Conference on Open and Distance Learning*. Madingley Hall, Cambridge. 20-23 September 2005. The Open University, Milton Keynes UK (2005) 226-235

Webster, L. L. and Mertova, P. 'Online Higher Education Teaching Qualification in Law: An online reflective practice course' *E-Learn 2005 World Conference on E-Learning in Corporate,*

Government, Healthcare, & Higher Education. Vancouver BC Canada. 24-28 October 2005. Association for the Advancement of Computing in Education, Chesapeake, Vancouver (2005) 1-6 (on CD)

Hodge, G.A. 'Governing the Privatised State: New Accountability Guardians' *The Second Annual Integrated Governance Conference: Linking up Government, Business & Civil Society*. Monash University Prato Centre, Prato Italy. 26-29th October 2005. Monash Governance Research Unit, Caulfield East Vic (2005) 1-17 (on CD rom)

Hodge, G.A., Bowman, D.M. and Binks, P. 'Governing the Invisible: The New Regulatory Frontiers of Nanotechnology' *Integrated Governance: Linking up Government, Business & Civil Society*. Monash University Prato Centre, Prato Italy. 26-29th October 2005. Monash Governance Research Unit, Caulfield East Vic (2005) 1-17 (on CD rom)

Conference publications (others) and public presentations

Debeljak, J. 'The Proposal for an Australian Bill of Rights'. *Australian Lawyers Alliance National Conference*, Cairns, Australia, 20-22 October, 2005

Emerton, P and Spencer, P. 'Overcoming the Quietism of Despair: University and community legal centre collaboration'. *Flowers in the Desert: Clinical legal education, ethical awareness and community service*, July 13, 2005

Greve, C and Hodge, G.A. 'PPPs: An International Performance Review'. Paper presented at the *Midwest Political Science Association Conference*, Chicago, Illinois, 8-11 April 2005

Hodge, G.A., Bowman, D.M. and Binks, P. 'Regulating the Invisible: Nanotechnology and the Public Interest', paper presented to the *Managing Across Boundaries – New Agendas for Managing Between Governments, Agencies & Sectors Conference*, Monash University, Melbourne, 11-12 July 2005.

Hodge, G.A. and Martin, L. 'Privatization of Government Services: Policy Choice or Inevitable Consequence?', Paper presented at the *Midwest Political Science Association Conference*, Chicago, Illinois, 8-11 April 2005.

Lindsay, D. 'Copyright and Intermediaries', paper presented to *Canada-Australia IP & Cyberlaw Conference*, University of Ottawa, 1 October 2005.

Lindsay, D. 'Newsgathering: New traps set by the law', paper presented to *News Media & the Law Conference*, Communications Law Centre, Victoria University, 23 June 2005.

Lindsay, D. 'Standards, Rules and Fair Use', paper presented to a Seminar on the *Government's inquiry into fair use*, Copyright Society of Australia, 9 June 2005.

Lindsay, D. 'The Digital Agenda: Comparative Law of Intermediary Liability', paper presented to *12th Biennial Copyright Law & Practice Symposium*, Sydney, 17 November 2005.

McSherry, B. 'Men Behaving Badly: Provocation, Automatism and Criminal Responsibility' Invited Seminar, Victorian Branch of the Australian Society of Legal Philosophy, University of Melbourne, 21 March 2005.

McSherry, B. 'Preventive Detention in Queensland' Invited speaker, Australian and New Zealand Association of Psychiatry, Psychology and Law, Queensland Branch, Brisbane, 10 August 2005.

McSherry, B. 'Preventive Detention: The High Court Opens the Door'. International Association of Forensic Mental Health, Melbourne, 20 April 2005.

McSherry, B. 'Mental Health and Human Rights: The Australian Experience'. International Academy of Law and Mental Health, Paris, 5 July 2005.

McSherry, B. 'Terrorism Related Offences in Australia: Their Use and Implications for Australian Domestic Law'. Invited plenary speaker, *Australian and New Zealand College of Forensic Psychiatry Conference*, Gold Coast, 13 August 2005.

McSherry, B. 'The Investigation, Detention and Prosecution of Suspected Terrorists: Goodbye to the Right to Liberty?'. Invited plenary speaker, Australian and New Zealand Association of Psychiatry, Psychology and Law, Victorian Branch, Queenscliff, 27 August 2005.

McSherry, B. 'Providing Mental Health Services and Psychiatric Care to Immigration Detainees: What the Law Requires'. Invited Plenary Speaker, Monash University, *Seeking Asylum in Australia: 1995-2005*, Monash Caulfield Campus, Melbourne, 27 November 2005.

Powles, G. 'Options for Constitutional Change in the South Pacific: Some Thoughts on Approach and Method', paper presented at the annual *Pacific Islands Legal Officers Meeting* (PILOM Conference), Port Vila, Vanuatu, 20-23 September, 2005.

Powles, G. 'Pacific Constitutions in Times of Change: Interpreting the Constitution of Tonga', paper presented at the *Tonga History Association Conference*, Graduate House, Melbourne, 14-16 July, 2005.

Sands, V.J. 'Prison Regulation and Public Accountability: The Search for an Optimal Model', Conference paper presented to *Crime, Community and the State Conference*, Australian and New Zealand Society of Criminology, 18th Annual Conference, Wellington, New Zealand, 9-11 February 2005.

Patents

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Reports and submissions

Debeljak, J. (2005) Parliamentary Submission to Victorian Government's Human Rights Consultation Committee '*How Best to Protect and Promote Human Rights in Victoria*'

Emerton, P., Chong, A., Kadous, W., Pettit, A., Sempil, S., Sentas, V, Stratton, J and Tham, J-C. (2005) 'Laws for Insecurity: A report on the Federal Government's proposed counter-terrorism measures'

Emerton, P. and Tham, J-C. (2005) Submission to the Senate Legal and Constitutional Committee regarding the inquiry into the provisions of the *Anti-Terrorism Bill (No.2) 2005*

Emerton, P. (2005) Submission to the Parliamentary Joint Committee on ASIO, ASIS and DSD review of the listing of four terrorist organisations.

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