From the Dean

I am delighted to introduce this edition of the newsletter following my permanent appointment as Dean of Law. The Law School has had a very productive start to 2014. First and foremost we have welcomed ten new academic staff who bring with them an extensive range of experience and expertise, considerably enriching our educational environment.

We have welcomed students back to the LLB, undergraduate majors and research degrees, as well as students in the new Juris Doctor. We have begun the new Master of Mining and Energy Laws and are exploring further postgraduate coursework degrees for next year.

Faculty staff have submitted a record number of applications for national competitive grants. Staff are working collaboratively in research clusters and hubs, as well as engaging with academic colleagues nationally and internationally. These new research developments, as well as the Juris Doctor and majors, have led to an expansion of our student exchange agreements, as well as staff research opportunities with other universities. An outstanding achievement is the recent awarding of an ARC Linkage Grant, the first such grant to be administered through the Faculty.

We look forward to bringing you news throughout the year, but for now I do hope you enjoy reading about these initiatives, as well as some stories of student, staff and Alumni success.

A new era at UWA Law School

In 2013 the University of Western Australia (UWA) celebrated its centenary. Whilst not quite as old, the Law School founded in 1928, has built a longstanding reputation for excellence in legal education.

Maintaining this excellence has required the school remain responsive to current trends and future challenges, including working to build a team of research active staff, strengthening research projects and taught courses as well as enhancing curricula, to ensure students develop a broad range of expertise and skills. Innovation, internationalisation and diversity are key themes across our programs, research, people and engagement initiatives.

We have diversified our programs, firstly by introducing new undergraduate majors, then the Juris Doctor (JD). We are now expanding our Masters courses and enhancing our PhD program. Simultaneously, we have diversified our staff. In total ten new staff have commenced in 2014, from areas including international law, constitutional law, taxation, criminology, anti-terror, mental health and intellectual property. As well as being academic leaders in their respective fields and contributing to our teaching programs, these academics are all research active and have already begun to enhance our research profile.

We have internationalised our programs through new course and unit offerings at all levels to ensure our graduates are better equipped to compete in global markets. We have recruited academic staff from a number of countries including Australia, Canada, Ethiopia, South Africa, China and Austria, adding richness to the Law School and facilitating developments in our programs to equip graduates to compete in the global marketplace. We have also expanded our linkages with other universities around the world for the benefit of both staff and students.

A number of initiatives have been introduced, both within and beyond our formal programs. For example, we have established a placement unit and formal Clinical Legal Education program to assist students transition to practice. Beyond the classroom we are engaging with our stakeholders in new and innovative ways; including joint research projects, student and staff seminars and workshops, and Visiting Professionals roundtable discussions, to complement our Visiting Scholars program. These initiatives assist our students to benefit from a wealth of experiences and expertise and provide opportunities to interact with key academics and professionals from a variety of fields.

The above developments ensure that the UWA Law School is well-placed to respond to the needs of current and future students as well as other stakeholders. We welcome the participation of Alumni, the legal profession, and those from government, NGOs and industry in our programs and activities.
Legal research can examine emergent or well-established areas of law, as highlighted by two Faculty of Law academics, Assistant Professor Robert Cunningham and Associate Professor Sarah Murray.

Robert and Sarah are both early career researchers, having received their Doctorates in the last five years, and work on widely diverse areas of law.

Robert’s research involves the application of environmental theories to intellectual property rights. He has developed unique insights into how governance frameworks can regulate information, or under what circumstances information is best left outside the regulatory sphere.

Sarah’s research examines the changing role of courts in Australia, and she was awarded the Mollie Holman Doctoral Medal for Thesis Excellence in Law at Monash University.

Sarah’s monograph, “The Remaking of the Courts: Less-Adversarial Practice and the Constitutional Role of the Judiciary in Australia”, is based on the premise that courts are in an ongoing state of change.

This idea is explored through the context of reforms to Australian courts that have resulted in less-adversarial court systems, two pertinent examples of which are judicial mediation and drug courts.

Although Australia’s constitutional architecture permits reforms to the court system, Sarah’s research warns that not all aspects about a court can change. Hence, her monograph describes what can and cannot change about a court, arguing in particular that the role of the courts can be protected whilst experiencing change through an approach of ‘contextual incompatibility’.

Expanding UWA’s Expertise in Chinese Law

The UWA Faculty of Law recognises the importance of creating and consolidating international connections central to its position within a Go8 university.

To this end, it welcomes two new academic staff members, both of whom have expertise in Chinese law and are fluent in Mandarin: Professor Ken Shao and Winthrop Professor Nolan Sharkey.

Ken and Nolan research in different areas but both recognise the role that China plays in the global environment and the importance of integrating the study of Chinese law into the domestic law curriculum.

Originally from Yixing in the Jiangnan region, Ken holds qualifications from China, where he completed an LLB, and London, where he undertook an LLM and PhD. His research examines areas of China’s innovation-based economy, intellectual property strategies, Chinese outbound investment, and Chinese culture. He has a leading track record in Chinese law education in Australia, and has spoken on his research in Australian and British news forums.

Nolan is a Barrister with several tertiary qualifications, including in law, accounting, and asian studies. He specialises in international tax, equity, trusts, and is a leading expert on China’s taxation system. His PhD thesis from The University of New South Wales has also provided him with expertise on the interrelationship between social institutions, law and government with particular comparative reference to China.

Nolan has conducted fieldwork that documents administration processes in China, has been an active participant in Chinese law reform projects and has advised the National People’s Congress.

The UWA Faculty of Law welcomes both Professors to the Law School, where their presence is integral to the expansion of its international expertise.
Celebrating our Students and Alumni

UWA Law School students continue to be active in inter-university competitions and successful in attaining scholarships and other notable opportunities.

Lauren Bourke, Ralph Timpani, Ben Tomasi, Ilona Quahe and Gary Cheung were runners up to the University of Queensland in the national rounds of the Jessup Moot competition. Although they did not advance to the final rounds in Washington, Ralph Timpani was awarded the 6th Best Oralist award for his performance in the preliminary rounds of the international competition. In the earlier national rounds the Team received the prize for best respondent memorial as well as the prize for best overall memorials.

Lauren Bourke was awarded best oralist in the preliminary rounds and Ralph Timpani achieved second place ranking.

Other highlights from current students include:

- Katy Rengel, awarded a Australian Veteran’s Children Assistance Trust (AVCAT) Scholarship.
- Catherine Graville, awarded the 2014 recipient of the Ciara Glennon Memorial Scholarship.

Our alumni continue to achieve success across a range of fields, including:

- Indigenous graduate Jessyca Hutchens (LLB 2010) was awarded a Charlie Perkins Scholarship and will study at the University of Oxford.
- Tammy Solonec (LL.B. 2007) an Indigenous law graduate, has been appointed as the new Indigenous Peoples’ Rights Manager at Amnesty International.
- Justice Jeremy Cuthoys (LL.B. B Juris. B.A 1979) has been elevated from the District to the Supreme Court and is President of State Administrative Tribunal.
- Mark Borrello (LLB 2006) was given a Business News 40 under 40 award.
- Karyl Nairn (B Juris 1986, LLB 1987) was recognised in the 2014 Advance Australian Global Awards.
- Dr Susan Gordon (AM LL.B. 2002, Honorary Doctorate) was awarded WA Senior Woman Lawyer of the Year, 2014.
- Carmel McKenzie (LL.B. B. Juris. 1978) was was awarded WA Rural, Regional and Remote Woman Lawyer of the Year, 2014.
- Elizabeth Heenan (LL.B. B Juris B. Ec. 1966) was inducted into the WA Women Lawyers Hall of Fame.

Research Matters

In 2014, Law School academics have continued their strong tradition of submitting, and receiving, competitive grants to undertake world-leading research.

The Faculty has had recent success with the award of an ARC Linkage Grant involving Associate Professor Frank Morgan and Future Fellow Dr Hilde Tubex (together with honorary members including Dr Caroline Spirano and Dr Anna Ferrante), for a project entitled “Aboriginal & Non Aboriginal Sex Offenders in Australia - Assessing Risk for Practice & Policy”. The grant involves a range of partner organisations including Corrective Services and Justice Departments from all states and territories.

Other recently awarded grants involve Law School staff working with AustLII to enhance its International Law Library (Professor Erika Techera, W/Professor Holly Cullen); and working in natural resources law, specifically “The Fundamentals Of Offshore Petroleum Regulation after the Montara Incident” (Professor John Chandler).

Associate Professor Catherine Kelly has been awarded a Harold White Fellowship at the National Library of Australia to be taken up in 2014 for a project entitled “Medicine, Law and the Lash: the Experience of Military Medical Officers in Australasia, 1800-1850”. Catherine has received further success receiving a Research Collaboration Award (UWA-RCA) to work with Dr Joan Tumblety of the University of Southampton. Their project will investigate attempts by the emerging medical profession to influence laws and lawmaking related to health in Western Europe between the mid-19th and mid-20th centuries.

Six leading Law School academics have submitted ARC Discovery Grants in the current round. Topics include: addressing crime and disorder in Aboriginal communities (Professor Harry Blagg); exploring dispute resolution processes involving children (Associate Professor Jill Howieson); analysing proceeds of crime legislation (Associate Professors Sarah Murray and Natalie Skead); researching Indian Ocean rim countries’ marine regulation (Professor Erika Techera); and empirically examining prisoner rehabilitation (Dr Hilde Tubex).

In addition, the Faculty submitted an ARC Discovery Early Career Award (DECRA) application (Associate Professor Catherine Kelly), adding to the ARC Future Fellowship submitted in 2013 (with results still to be announced).

The Law School continues to attract students to its PhD program with significant expansions in the number of students and range of areas being investigated.

Are you interested in pursuing a higher degree by research career? Consider your possibilities, contact potential supervisors and enrol mid-year. For more details visit: www.law.uwa.edu.au/courses/postgrad
Teaching & Learning

Academics in the Law School have had a busy start to the year: working with continuing LLB students, teaching the second year of the JD and the first final year cohort in our new Majors. Beyond classroom teaching, a focus of the UWA Law School has been on the scholarship of learning and teaching. With Professor Mark Israel and Associate Professor Natalie Skedd are completing their Office of Learning and Teaching (OLT) grant researching the development and implementation of professional development programs for sessional teachers in law. They have also been instrumental in establishing the Scholarship of Teaching and Learning (SoTL) network which brings together law teachers with expertise in, and a passion for, Law teaching and who wish to share exciting, effective, current and innovative teaching practices through research and writing in the area of legal education (www.law.uwa.edu.au/research/SoTL-in-Law).

At the end of 2013 Law School staff had success in a number of research areas. Assistant Professor Jacinta Dharmananda was awarded an Improving Student Learning Grant for her project on “The Making of Legislation: An Inside View for Students”. Assistant Professor Tracey Atkins was awarded an Alumni Annual Fund grant for “Law for Social Justice @ UWA” which explores and analyses community-based social justice activities undertaken by UWA law students and staff.

It has been a particularly successful start to 2014 in terms of awards. UWA Law School staff have been recognised for their excellence winning three out of a possible four awards for learning and teaching. Awardees include:

- Winthrop Professor Holly Cullen - Award for Excellence in Research Supervision
- Associate Professor Natalie Skedd - Award for Excellence in Teaching
- Ms Carol Brett - Award for Outstanding Contribution to Student Learning (Professional Staff)

Law School staff have also been successful with grant funding associated with the scholarship of learning and teaching. Associate Professor Catherine Kelly and Assistant Professors Tamara Tulich and Ian Murray have all been awarded Improving Student Learning grants for 2014. Tamara Tulich and Catherine Kelly for their project entitled “The Development of Digital Film Resources to Enhance Student Learning in LAWS1111, Law Conflict and Change”; and Ian Murray for “Integrating LLB and Juris Doctor Advanced Legal Research with Existing School Research: Informed Choice from Collaborative and Holistic Selection and Proposal Processes.”

Study local, think global

Graduates from the UWA Faculty of Law are increasingly recognising the need to think globally in today’s world as they entertain the prospect of an international career.

In April 2014, the UWA Faculty of Law branched out to further its Asian connections, participating in an Office of Development and Alumni Relations engagement event in Hong Kong. The event was hosted by Law School alumnus and partner at Hogan Lovells’ Hong Kong office, Neil McDonald (LL.B. B Juris 1990), and saw a number of UWA graduates attend and re-establish connections to the Law School.

Dean of Law, Professor Erika Techera, presented on the current direction of the Law School, highlighting in particular the JD program, its pathway courses, and the recent additions to the LLM. ‘The alumni community continues to show great enthusiasm towards these initiatives and the future developments occurring at the Law School, and we welcome and encourage that response’.

This collegiality was shared throughout the reception, where ideas about internships and sponsoring new graduates to work in Hong Kong were canvassed. ‘We have had an overwhelmingly positive response from the international alumni community as we seek to further strengthen our connections,’ says Erika.

Our engagement with Hong Kong alumni has already paid dividends for students at the Crawley Campus. Mr McDonald arranged for our Jessup Moot team to visit the offices of Hogan Lovells in Washington DC. Mr Joe Longo (LL.B. B Juris 1981) General Counsel for Deutsche Bank and Ms Mary-Eileen Scanlan (LL.B. B Juris 1981), Regional Business Manager for Clifford Chance Hong Kong, visited the UWA Law School in May as part of the Visiting Professional program. Mr Longo discussed legal trends in Hong Kong, including the market for law graduates as well as other potential opportunities. Ms Scanlan shared her journey since leaving Law School, including the different positions she has held, with a small group of senior law students.