

PUBLISHED RESEARCH



Books Authored

Duns, J, Davison, M and **Beaton-Wells, C**, *Competition Law: Cases and Materials* (2nd ed), LexisNexis Butterworths, Sydney (2006)

Ellinghaus, M, *Australian Cases on Contract 2006 Edition* (7th ed), Code Press, Melbourne (2006)

Gronow, M and Mason R, *McPherson's Law of Company Liquidation* (5th ed), Thomson Lawbook Co, North Ryde (2006)

Hanrahan, P, Ramsay, I and **Stapledon, G**, *Commercial Applications of Company Law* (7th ed), CCH Australia, North Ryde (2006)

Hanrahan, P, Ramsay, I, Stapledon, G, Yeo, V and Lee, S, *Commercial Applications of Company Law in Singapore* (2nd ed), CCH Asia Pacific, Singapore (2006)

Kenyon, A, *Defamation: Comparative Law and Practice*, UCL Press, London (2006)

Kobetsky, M, Krever, R, **O'Connell, A** and **Stewart, M**, *Income Tax, Text, Materials and Essential Cases*, Federation Press, Sydney (2006)

Lanham, D, Bartal, B, Evans, R and **Wood, D**, *Criminal Laws in Australia*, Federation Press, Sydney (2006)

Luntz, H, *Assessment of Damages for Personal Injury and Death: General Principles*, LexisNexis, Chatswood (2006)

Luntz, H and Hambly, D, *Torts: Cases and Commentary* (Revised 5th ed), LexisNexis Butterworths, Sydney (2006)

Ricketson, S and Ginsburg, J, *International Copyright and Neighbouring Rights: The Berne Convention and Beyond* (Volume I and II) (2nd ed), Oxford University Press, New York (2006)

Triggs, G, *International Law: Contemporary Principles and Practices*, LexisNexis, Chatswood (2006)

Weaver, R, **Kenyon, A**, Partlett, D and Walker, C, *The Right to Speak III: Defamation, Reputation and Free Speech*, Carolina Academic Press, Durham (2006)

Young, S and **Tham, J**, *Political Finance in Australia: A Skewed and Secret System*, Australian School of Social Sciences, The Australian National University, Canberra (2006)

Books Edited

Ali, P and Gregoriou, G (eds), *International Corporate Governance after Sarbanes-Oxley*, John Wiley & Sons, Hoboken (2006)

Arup, C, Gahan, P, **Howe, J**, Johnstone, R, **Mitchell, R** and O'Donnell, A (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006)

Boyd, S and **Rhoades, H** (eds), *The International Library of Essays in Law and Society: Law and Families*, Ashgate, Aldershot (2006)

De Vries Robbe, J and **Ali, P** (eds), *Innovations in Securitisation*, Kluwer Law International, The Hague (2006)

Kenyon, A and **Richardson, M** (eds), *New Dimensions in Privacy Law: International and Comparative Perspectives*, Cambridge University Press, New York (2006)

Langton, M, Mazel, O, Palmer, L, Shain, K and **Tehan, M** (eds), *Settling with Indigenous People*, Federation Press, Sydney (2006)

Le Roy, K and **Saunders, C** (eds), *Legislative, Executive, and Judicial Governance in Federal Countries*, McGill-Queen's University Press, Montreal (2006)

Orford, A (ed), *International Law and its Others*, Cambridge University Press, New York (2006)

Pernice, I, Kokott, J and **Saunders, C** (eds), *The Future of the European Judicial System in a Comparative Perspective*, Cambridge University Press, Cambridge (2006)

Saunders, C and **Le Roy, K** (eds), *Legislative, Executive, and Judicial Governance in Federal Countries*, McGill-Queen's University Press, Montreal (2006)

Stewart, M (ed), *Tax Law and Political Institutions*, Federation Press, Sydney (2006)

Whiting, A and **Evans, C** (eds), *Mixed Blessings: Laws, Religions, and Women's Rights in the Asia-Pacific Region*, Martinus Nijhoff Publishers, Leiden (2006)

Book Chapters

Ali, P, 'Corporate Governance and Derivatives End Users' in J Denton (ed), *Practical Derivatives: A Transactional Approach*, Globe Business Publishing, London (2006), 9–23

Ali, P, 'Corporate Social Responsibility and Fiduciary Investment in Australia' in P Ali and G Gregoriou (eds), *International Corporate Governance after Sarbanes-Oxley*, John Wiley & Sons, Hoboken (2006), 161–171

Ali, P, 'Hedge Funds, Corporate Governance and the Separation of Ownership and Control' in D Kaiser and G Gregoriou (eds), *Hedge Funds and Managed Futures: A Handbook for Institutional Investors*, Risk Books, London (2006), 197–208

Ali, P, 'Investing in Death/Speculating on Mortality: Some Thoughts on Life Insurance Securitization' in P Ali and G Gregoriou (eds), *International Corporate Governance after Sarbanes-Oxley*, John Wiley & Sons, Hoboken (2006), 185–193

Ali, P, 'Securitisation of Catastrophic Risk' in J De Vries Robbe and P Ali (eds), *Innovations of Securitisation*, Kluwer Law International, The Hague (2006), 35–45

Ali, P, 'Synthetic Collateralized Debt Obligations (CDO) Squares and the Continuing Evolution of Funds' in G Gregoriou (ed), *Funds of Hedge Funds: Performance, Assessment, Diversification, and Statistical Properties*, Butterworth-Heinemann, Burlington (2006), 375–382

Ali, P and Chang, A, 'Fund-Raising for High-Technology Companies: The Intellectual Property Securitisation Option' in J De Vries Robbe and P Ali (eds), *Innovations in Securitisation*, Kluwer Law International, The Hague (2006), 211–220

Brennan, D, 'Australian Television Broadcasts as Copyright Property' in F Macmillan and K Bowrey (eds), *New Directions in Copyright Law*, Volume 3, Edward Elgar, Cheltenham (2006), 107–116

Carney, T, Ramia, G and **Chapman, A**, 'Which Law is Laggard? Regulation and the Gaps Between Labour Law and Social Security Law' in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O'Donnell (eds), *Labour Law and Market Regulation*, Federation Press, Sydney (2006), 383–409

Chapman, A, 'Regulating Family through Employee Entitlements' in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O'Donnell (eds), *Labour Law and Market Regulation*, Federation Press, Sydney (2006), 454–469

Christie, A, 'Intellectual Property and Intangible Assets: A Legal Perspective' in D Bosworth and E Webster (eds), *The Management of Intellectual Property*, Edward Elgar Publishing, Cheltenham (2006), 23–39

Cooney, S, 'Exclusionary Self-Regulation: A Critical Evaluation of the AMMA's Proposal in the Mining Industry' in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O'Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 187–201

Cooney, S, 'Labour Market Regulation in Comparative Perspective' in S Acharya and C Brassard (eds), *Labour Market Regulation and Deregulation in Asia*, Academic Foundation, New Delhi (2006), 33–54

Dabscheck, B, 'At the Top Table': Player Unions in Soccer' in W Andreff and S Szymanski (eds), *Handbook on the Economics of Sport*, Edward Elgar Publishing, Cheltenham (2006), 661–667

Evans, C and **Whiting, A**, 'Situating the Issues, Framing the Analysis' in A Whiting and C Evans (eds), *Mixed Blessings: Laws, Religions, and Women's Rights in the Asia-Pacific Region*, Martinus Nijhoff Publishers, Leiden (2006), 1–23

Evans, C, 'Human Rights Commissions and Religious Conflict in the Asia-Pacific Region' in U Dolgopoul and J Gardam (eds), *The Challenge of Conflict: International Law Responds* (2006), 145–160

Evans, S, 'Constitutional Property Rights in Australia: Reconciling Individual Rights and the Common Good' in T Campbell, A Stone and J Goldsworthy (eds), *Protecting Rights Without a Bill of Rights: Institutional Performance and Reform in Australia*, Ashgate, Aldershot (2006), 197–222

Garnett, R, 'Australia' in M Pryles (ed), *Dispute Resolution in Asia*, Kluwer Law International, Netherlands (2006), 35–84

Gaze, E, 'WorkChoices or No Choices? The Impact of the New Industrial Relations Laws on Work and Family' in J Teicher, A O'Rourke and R Lambert (eds), *WorkChoices: The New Industrial Relations Agenda*, Pearson Education, Frenchs Forest (2006), 106–122

Godden, L, 'Efficiency and Environmental Sustainability: Using Market Mechanisms for Water Resources Regulation in Australia' in B Barton, L Barrera-Hernandez and A Ronne (eds), *Regulating Energy and Natural Resources*, Oxford University Press, New York (2006), 292–311

Howe, J, 'Deregulation' of Labour Relations in Australia: Towards a More 'Centred' Command and Control Model' in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O'Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 147–166

Howe, J, ‘Money and Favours’: Government Deployment of Public Wealth as an Instrument of Labour Regulation’ in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O’Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 167–186

Howe, J, Johnstone, R and **Mitchell, R**, ‘Constituting and Regulating the Labour Market for Social and Economic Purposes’ in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O’Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 307–321

Kenyon, A and **Richardson, M**, ‘New Dimensions in Privacy: Communications Technologies, Media Practices and Law’ in A Kenyon and M Richardson (eds), *New Dimensions in Privacy Law: International and Comparative Perspectives*, Cambridge University Press, New York (2006), 1–10

Lindsay, D and **Ricketson, S**, ‘Copyright, Privacy and Digital Rights Management (DRM)’ in A Kenyon and M Richardson (eds), *New Dimensions in Privacy Law: International and Comparative Perspectives*, Cambridge University Press, New York (2006), 121–153

Lindsey, T, ‘Culture, Insolvency and Legal Orientalism in Asia: Reaching for Goering’s Revolver’ in R Tomasic (ed), *Insolvency Law in East Asia*, Ashgate, Aldershot (2006), 509–534

Lindsey, T, ‘From Soepomo to Prabowo: Law, Violence and Corruption in the Preman State’ in C Coppell (ed), *Violent Conflicts in Indonesia: Analysis, Representation, Resolution*, Routledge, London (2006), 19–36

Marshall, S, ‘An Exploration of Control in the Context of Vertical Disintegration’ in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O’Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 542–560

Mathews, R, ‘The First Review Conference of the Chemical Weapons Convention: A Drafter’s Perspective’ in R Thakur and E Haru (eds), *The Chemical Weapons Convention: Implementation, Challenges and Opportunities*, United Nations University Press, Tokyo (2006), 44–74

McCormack, T, ‘Self-Defence in International Criminal Law’ in H Abtahi and G Boas (eds), *The Dynamics of International Criminal Justice: Essays in Honour of Sir Richard May*, Martinus Nijhoff Publishers, Leiden (2006), 231–255

McDougall, C, ‘The Sexual Violence Jurisprudence of The International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda: The Silence Has Been Broken but There’s Still a Lot to Shout About’ in U Dolgopol and J Gardam (eds), *The Challenge of Conflict: International Law Responds*, Martinus Nijhoff Publishers, Leiden (2006), 331–346

Mitchell, A, ‘Fair Crack of the Whip: Examining Procedural Fairness in WTO Disputes Using an Australian Administrative Law Framework’ in V Wood, M Bliss, A Gorely, M Jennings, M Durnan, R Wild and R Morris (eds), *Ten Years of WTO Dispute Settlement: Australian Perspectives*, Department of Foreign Affairs and Trade, Canberra (2006), 45–69

Mitchell, R and Arup, C, ‘Labour Law and Labour Market Regulation’ in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O’Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 3–18

O’Connell, A, **Kobetsky, M** and **Stewart, M**, ‘Australia’ in P Bongaarts, D Bouzora, G Maisto and A Pelvang (eds), *Investment Funds: International Guide to the Taxation and Regulation of Mutual Investment Funds and their Investors*, International Bureau of Fiscal Documentation, Netherlands (2006), 1–111

O’Donnell, A and **Mitchell, R**, ‘Participation, Exchange, and Rights and Obligations in Labour Markets and Work Relationships’ in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O’Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 505–519

Orford, A, ‘A Jurisprudence of the Limit’ in A Orford (ed), *International Law and its Others*, Cambridge University Press, New York (2006), 1–31

Orford, A, ‘Biopolitics and the Tragic Subject of Human Rights’ in E Dauphinee and C Masters (eds), *The Logics of Biopower and the War on Terror*, Palgrave Macmillan, New York (2006), 205–228

Orford, A, ‘Trade, Human Rights and the Economy of Sacrifice’ in A Orford (ed), *International Law and its Others*, Cambridge University Press, New York (2006), 156–196

Otto, D, ‘Lost in Translation: Re-scripting the Sexed Subjects of International Human Rights Law’ in A Orford (ed), *International Law and its Others*, Cambridge University Press, New York (2006), 318–356

Palmer, L and **Tehan, M**, 'Anchored to the Land': Asserting and Recognising Aboriginal Jurisdiction in the Northwest Territories' in M Langton, O Mazel, L Palmer, K Shain and M Tehan (eds), *Settling with Indigenous People*, Federation Press, Sydney (2006), 66–93

Palmer, L and **Tehan M**, 'From Remnant Lands to Sustainable Communities: Negotiating Spaces for Indigenous Land and Jurisdiction in Darwin and Vancouver' in M Langton, O Mazel, L Palmer, K Shain and M Tehan (eds), *Settling with Indigenous People*, Federation Press, Sydney (2006) 231–256

Palmer, L and **Tehan, M**, 'Sharing Citizenship and Self-Government in Canada: A Case Study of James Bay and Nunavik (Northern Quebec)' in M Langton, O Mazel, L Palmer, K Shain and M Tehan (eds), *Settling with Indigenous People*, Federation Press, Sydney (2006), 19–43

Parsley, C, 'Seasons in the Abyss: Reading the Void in Cubillo' in A Orford (ed), *International Law and its Others*, Cambridge University Press, New York (2006), 100–127

Peel, J, 'Precautionary Only in Name? Tensions between Precaution and Risk Assessment in the Australian GMO Regulatory Framework' in E Fisher, J Jones and R von Schomberg (eds), *Implementing the Precautionary Principle: Perspectives and Prospects*, Edward Elgar Publishing, Cheltenham (2006), 202–220

Rhoades, H, 'Yearning for Law: Fathers' Groups and Family Law Reform in Australia' in R Collier and S Sheldon (eds), *Fathers' Rights Activism and Law Reform in Comparative Perspective*, Hart Publishing, Oxford (2006), 125–146

Richardson, M and Hitchens, L, 'Celebrity Privacy and Benefits of Simple History' in A Kenyon and M Richardson (eds), *New Dimensions in Privacy Law: International and Comparative Perspectives*, Cambridge University Press, New York (2006), 250–269

Ricketson, S, 'Copyright and Neighbouring Rights Come of Age: Digitization and International Trade' in S Ricketson and J Ginsburg (eds), *International Copyright and Neighbouring Rights: The Berne Convention and Beyond (Volume I and II)*, Oxford University Press, New York (2006), 134–175

Ricketson, S, 'Restrictions on the Exercise of Rights: Limitations and Exceptions' in S Ricketson and J Ginsburg (eds), *International Copyright and Neighbouring Rights: The Berne Convention and Beyond (Volume I and II)*, Oxford University Press, New York (2006), 755–878

Ricketson, S, 'The Berne Convention and Neighbouring Rights' in S Ricketson and J Ginsburg (eds), *International Copyright and Neighbouring Rights: The Berne Convention and Beyond (Volume I and II)*, Oxford University Press, New York (2006) 1204–1288

Ricketson, S, 'Treaty Interpretation and the Concept of Union' in S Ricketson and J Ginsburg (eds), *International Copyright and Neighbouring Rights: The Berne Convention and Beyond (Volume I and II)*, Oxford University Press, New York (2006), 179–232

Rider, C, 'Tax and the Regulatory Conception of Labour Law' in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O'Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 364–382

Rogers, J, 'Flesh Made Law: The Economics of Female Genital Mutilation Legislation' in A Orford (ed), *International Law and its Others*, Cambridge University Press, New York (2006), 357–386

Rubenstein, K, 'Rethinking Nationality in International Humanitarian Law' in U Dolgopoul and J Gardam (eds), *The Challenge of Conflict: International Law Responds*, Martinus Nijhoff Publishers, Leiden (2006), 89–104

Saunders, C, 'Apples, Oranges and Comparative Administrative Law' in H Corder (ed), *Acta Juridica: Comparing Administrative Justice Across the Commonwealth*, Juta & Co, Cape Town (2006), 423–449

Saunders, C, 'Democracy, Transparency and the Apparent Demise of the Treaty Establishing a Constitution for Europe' in J Bell and C Kilpatrick (eds), *Cambridge Yearbook of European Legal Studies*, Hart Publishing, Oxford (2006), 9–35

Saunders, C, 'Legislative, Executive, and Judicial Institutions: A Synthesis' in C Saunders and K Le Roy (eds), *Legislative, Executive, and Judicial Governance in Federal Countries*, McGill-Queens's University Press, Montreal (2006), 344–384

Saunders, C and **Le Roy, K**, 'Commonwealth of Australia' in C Saunders and K Le Roy (eds), *Legislative, Executive, and Judicial Governance in Federal Countries*, McGill-Queen's University Press, Montreal (2006), 38–71

Skene, L, 'Life-Prolonging Treatment and Patients' Legal Rights' in S McLean (ed), *First Do No Harm: Law, Ethics and Healthcare*, Ashgate, Aldershot (2006), 421–429

Skene, L and Otlowski, M, 'Genetic Privacy, Discrimination and Insurance' in I Feckelton and K Petersen (eds), *Disputes and Dilemmas in Health Law*, Federation Press, Sydney (2006) 622–638

Stapledon, G, 'CEO Compensation in Australia's Largest Companies' in G Gregoriou and P Ali (eds), *International Corporate Governance After Sarbanes-Oxley*, John Wiley & Sons, Hoboken (2006), 319–336

Stapledon, G, 'The Development of Corporate Governance in Australia' in C Mallin (ed), *Handbook on International Corporate Governance*, Edward Elgar Publishing, Cheltenham (2006), 170–189

Steele, S, 'Insolvency Law in Japan' in R Tomasic (ed), *Insolvency Law in East Asia*, Ashgate, Aldershot (2006), 13–62

Stewart, M, 'Introduction: New Research on Tax Law and Political Institutions' in M Stewart (ed), *Tax Law and Political Institutions*, Federation Press, Sydney (2006), 1–9

Tehan, M, Palmer, L, Langton, M and Mazel, O, 'Sharing Land and Resources: Modern Agreements and Treaties with Indigenous People in Settler States' in M Langton, O Mazel, L Palmer, K Shain and M Tehan (eds), *Settling with Indigenous People*, Federation Press, Sydney (2006), 1–18

Tham, J, 'Job Security Laws: Constituting 'Standard' and 'Non-Standard' Employment' in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell and A O'Donnell (eds), *Labour Law and Labour Market Regulation*, Federation Press, Sydney (2006), 657–676

Triggs, G, 'Challenges for the International Criminal Court: Terrorism, Immunity Agreements and National Trials' in U Dolgopol and J Gardam (eds), *The Challenge of Conflict: International Law Responds*, Martinus Nijhoff Publishers, Leiden (2006), 315–330

Waugh, J, 'Deadlocks in State Parliaments' in G Winterton (ed), *State Constitutional Landmarks*, Federation Press, Sydney (2006) 185–210

Waugh, J, 'Haines, O'Shanassy, Nicholson and Heales: The Old Guard, 1855–1863' in P Strangio and B Costar (eds), *The Victorian Premiers 1856–2006*, Federation Press, Sydney (2006), 12–29

Waugh, J, 'The Inevitable McCulloch and His Rivals, 1863–1877' in P Strangio and B Costar (eds), *The Victorian Premiers 1856–2006*, Federation Press, Sydney (2006), 30–50

Weatherall, K, "'Pretend-y Rights': On the Insanely Complicated New Regime for Performers' Rights in Australia, and How Australian Performers Lost Out' in F Macmillan and K Bowrey (eds), *New Directions in Copyright Law, Volume 3*, Edward Elgar Publishing, Cheltenham (2006), 171–197

Whiting, A, 'In the Shadow of Developmentalism: The Human Rights Commission of Malaysia at the Intersection of State and Civil Society Priorities' in C Kumar and D Srivastava (eds), *Human Rights and Development: Law, Policy and Governance*, Lexis Nexis, Hong Kong (2006) 383–407

Refereed Journal Articles

Ali, P, 'Portable Alpha and Hedge Funds: Legal Issues' (2006) 11 *Derivatives, Use, Trading & Regulation* 366–374

Alves-Perini, N, Harrison, M, **Rhoades, H** and Swain, S, 'Finding Fault in Marital Property Law: A Little Bit of History Repeating?' (2006) 34 *Federal Law Review* 377–398

Anderson, K, 'How Effective is the International Convention for the Protection of All Persons from Enforced Disappearance Likely to be in Holding Individuals Criminally Responsible for Acts of Enforced Disappearance?' (2006) 7 *The Melbourne Journal of International Law* 245–277

Anderson, K and **Ramsay, I**, 'From the Picketline to the Boardroom: Union Shareholder Activism in Australia' (2006) 24 *Company and Securities Law Journal* 279–314

Beaton-Wells, C, 'Mergers without Markets? Unilateral Effects Analysis in the United States and its Prospects in Australia' (2006) 34 *Australian Business Law Review* 186–210

Beaton-Wells, C, 'Recent Corporate Penalty Assessments under the Trade Practices Act and the Rise of General Deterrence' (2006) 14 *Competition and Consumer Law Journal* 65–87

Bosland, J, 'Digital Television and Multichannelling: Changes under the Broadcasting Legislation Amendment (Digital Television) Act 2006' (2006) 11 *Media and Arts Law Review* 440–446

- Bosland, J, Weatherall, K** and Jensen, P, 'Trade Mark and Counterfeit Litigation in Australia' (2006) 2006 *Intellectual Property Quarterly* 347–377
- Brennan, D**, 'The Trade Mark and the Firm' (2006) 3 *Intellectual Property Quarterly* 283–290
- Brennan, D**, 'What Can It Mean to 'Prevent or Inhibit the Infringement of Copyright? – A Critique on *Stevens v Sony*' (2006) 17 *Australian Intellectual Property Journal* 81–98
- Bryan, M**, 'Equity and the Warped Moral Approach' (2006) 17 *King's College Law Journal* 105–111
- Chapman, A**, 'Unfair Dismissal Law and Work Choices: From Safety Net Standard to Legal Privilege' (2006) 16 *Economic and Labour Relations Review* 237–264
- Chu, S, Lawrence, M and **Stapledon, G**, 'Trends in ASX-Listed Bank Governance' (2006) *Special Edition Economic Papers* 26–38
- Cooney, S**, 'Command and Control in the Workplace: Agreement-making under Work Choices' (2006) 16 *Economic and Labour Relations Review* 147–164
- Cooney, S, Howe, J** and Murray, J, 'Time and Money Under Work Choices: Understanding the New Workplace Relations Act as a Scheme of Regulation' (2006) 29 *University of New South Wales Law Journal* 215–241
- Dabscheck, B**, 'The Contract Regulation Club' (2006) 16 *Economic and Labour Relations Review* 3–24
- Dent, C**, 'Decision Making and Quality in Patents: An Exploration' (2006) 28 *European Intellectual Property Review* 381–388
- Dent, C**, 'Patent Opposition and the Constitution: Before or After?' (2006) 17 *Australian Intellectual Property Journal* 217–231
- Dent, C**, 'Patent Policy in Early Modern England: Jobs, Trade and Regulation' (2006) 10 *Legal History* 71–95
- Dent, C** and **Weatherall, K**, 'Lawyer's Decisions in Australian Patent Dispute Settlements: An Empirical Perspective' (2006) 17 *Australian Intellectual Property Journal* 255–276
- Dunworth, T, **Mathews, R** and **McCormack, T**, 'National Implementation of the Biological Weapons Convention' (2006) 11 *Journal of Conflict and Security Law* 93–118
- Duxbury, A**, 'The Commonwealth Secretariat and the Implementation of Human Rights' (2006) 95 *The Round Table* 425–440
- Evans, C**, 'Strengthening the Role of the Special Rapporteur on Freedom of Religion or Belief' (2006) 1 *Religion and Human Rights* 75–96
- Evans, C**, 'The 'Islamic Scarf' in the European Court of Human Rights' (2006) 7 *The Melbourne Journal of International Law* 52–73
- Evans, C** and **Evans, S**, 'Evaluating the Human Rights Performance of Legislatures' (2006) 6 *Human Rights Law Review* 545–569
- Evans, C** and **Evans, S**, 'Legislative Scrutiny Committees and Parliamentary Conceptions of Human Rights' (2006) *Winter Public Law* 785–806
- Evans, S**, 'Australia' (2006) 4 *International Journal of Constitutional Law* 517–532
- Evans, S**, 'Should Australian Bills of Rights Protect Property Rights?' (2006) 31 *Alternative Law Journal* 19–24
- Evans, S**, 'The Meaning of Constitutional Terms' Essential Feature, Family Resemblance and Theory-Based Approaches' (2006) 29 *University of New South Wales Law Journal* 207–237
- Evans, S** and **Evans, C**, 'Legal Redress under the Victorian Charter of Human Rights and Responsibilities' (2006) 17 *Public Law Review* 264–281
- Fenwick, C**, 'How Low Can You Go? Minimum Working Conditions under Australia's New Labour Laws' (2006) 16 *Economic and Labour Relations Review* 85–126
- Fenwick, C**, 'Labour Law in Namibia: Towards an 'Indigenous Solution?'' (2006) 123 *South African Law Journal* 665–699
- Fenwick, C** and **Landau, I**, 'Work Choices in International Perspective' (2006) 19 *Australian Journal of Labour Law* 127–143
- Finnin, S**, 'Salim Ahmed Hamdan, Petitioner v Donald H Rumsfeld, Secretary of Defense: Has the Bush Administration's Experiment with Military Commissions come to an End?' (2006) 7 *The Melbourne Journal of International Law* 373–406
- Gans, J**, 'Similar facts after Phillips' (2006) 30 *Criminal Law Journal* 224–245
- Garnett, R**, 'An Overview of Choice of Law, Jurisdiction and Foreign Judgment Enforcement in IP Disputes' (2006) 11 *Media and Arts Law Review* 341–354

- Garnett, R**, 'Cross-Border Internet Trade Mark Litigation: Towards a Model of Co-Existence and Parallel Use' (2006) 28 *European Intellectual Property Review* 213–219
- Garnett, R** and Nguyen, K, 'Enforcement of Arbitration Awards in Vietnam' (2006) 2 *Asian International Arbitration Journal* 137–150
- Genovese, A**, 'Family Histories: John Hirst v Feminism, in the Family Court of Australia' (2006) 21 *Australian Feminist Studies* 173–196
- Godden, L**, 'Terrorism: Reinvoking the Barbarian to Secure the Space of Civilisation' (2006) 24 *Australian Feminist Law Journal* 69–94
- Godden, L, Nelson, R** and **Peel, J**, 'Controlling Invasive Species: Managing Risks to Australia's Agricultural Sustainability and Biodiversity Protection' (2006) 13 *Australasian Journal of Environmental Management* 166–181
- Gollan, P and **Patmore, G**, 'Transporting the European Social Partnership Model to Australia' (2006) 48 *Journal of Industrial Relations* 217–256
- Harijanti, S** and **Lindsey, T**, 'Indonesia: General Elections Test the Amended Constitution and the New Constitutional Court' (2006) 4 *International Journal of Constitutional Law* 138–150
- Harrison, N**, 'Extradition of the 'Bali Nine': Can and Should the Risk of Capital Punishment Facing Australians be Relevant to Extradition Decisions?' (2006) 1 *International Journal of Punishment and Sentencing* 221–239
- Henckels, C**, 'GMOs in the WTO: A Critique of the Panel's Legal Reasoning in EC – Biotech' (2006) 7 *The Melbourne Journal of International Law* 278–305
- Horan, J**, 'The Law and Lore of the Australian Civil Jury and Civil Justice System' (2006) 9 *Flinders Journal of Law Reform* 29–49
- Howe, J**, 'Creating Decent Jobs: The Role of Regulation in Facilitating Transitions Between Employment and Unemployment in the Labour Market' (2006) 32 *Australian Bulletin of Labour* 295–313
- Jogarajan, S**, 'Bring Them Home – The Case for Tax Concessions for Returning Australians' (2006) 16 *Revenue Law Journal* 1–24
- Jogarajan, S**, 'Looking East – the Indian Tax System and Australian FDI' (2006) 10 *Asia-Pacific Journal of Taxation* 23–35
- Kenyon, A** and **Wright, R**, 'Television as Something Special? Content Control Technologies and Free-To-Air TV' (2006) 30 *Melbourne University Law Review* 338–369
- Kobetsky, M**, 'Article 7 of the OECD Model: Defining the Personality of Permanent Establishments' (2006) 60 *Bulletin for International Fiscal Documentation* 411–425
- Kordvani, A**, 'Hospitality, Politics of Mobility, and the Movement of Service Suppliers under the GATS' (2006) 7 *The Melbourne Journal of International Law* 74–103
- Lenne, J, Mitchell, R** and **Ramsay, I**, 'Employee Share Ownership Schemes in Australia: A Survey of Key Issues and Themes' (2006) 14 *International Journal of Employment Studies* 1–34
- Lindell, G**, 'State Legislative Power to Enact Same-Sex Marriage Legislation, and the Effect of the Marriage Act 1961 (Cth) as Amended by the Marriage Amendment Act 2004 (Cth)' (2006) 9 *Constitutional Law and Policy Review* 25–36
- Lindell, G**, 'The Statutory Protection of Rights and Parliamentary Sovereignty: Guidance from the United Kingdom?' (2006) 17 *Public Law Review* 188–208
- Marshall, S** and **Mitchell, R**, 'Enterprise Bargaining, Managerial Prerogative and the Protection of the Workers' Rights: An Argument of the Role of Law and Regulatory Strategy in Australia under the Work Place Relations Act 1996 (Cth)' (2006) 22 *International Journal of Comparative Labour Law and Industrial Relations* 299–327
- Miller, C, Campbell, R** and **Ramsay, I**, 'The Takeovers Panel – An Empirical Study' (2006) 3 *Macquarie Journal of Business Law* 199–240
- Mitchell, A**, 'A Legal Principle of Special and Differential Treatment for WTO Disputes' (2006) 5 *World Trade Review* 445–469
- Mitchell, A**, 'Good Faith in WTO Dispute Settlement' (2006) 7 *The Melbourne Journal of International Law* 399–371
- Mitchell, A**, 'Proportionality and Remedies in WTO Disputes' (2006) 17 *European Journal of International Law* 985–1008
- Moritz, S** and **Christie, A**, 'Second-Tier Patent Systems: The Australian Experience' (2006) 4 *European Intellectual Property Review* 230–240

Murphy, B and **Cameron, C**, 'Access to Justice and the Evolution of Class Action Litigation in Australia' (2006) 30 *Melbourne University Law Review* 399–440

Orford, A, 'Commissioning the Truth' (2006) 3 *Columbia Journal of Gender and Law* 851–883

Oswald, B, 'Addressing the International Law and Order Vacuum: Key Issues and Dilemmas for Peacekeeping Operations' (2006) 6 *New Zealand Armed Forces Law Review* 1–19

Oswald, B and **Finnin, S**, 'Combating the Trafficking of Persons on Peace Operations' (2006) 6 *International Peacekeeping* 1–32

Parker, C, 'The 'Compliance' Trap: The Moral Message in Responsive Regulatory Enforcement' (2006) 40 *Law & Society Review* 591–622

Parker, C and Nielsen, V, 'Do Businesses Take Compliance Systems Seriously? An Empirical Study of the Implementation of Trade Practices Compliance Systems in Australia' (2006) 30 *Melbourne University Law Review* 441–494

Patmore, G, 'Choosing the Republic: The Legal and Constitutional Steps in Australia and Canada' (2006) 31 *Queen's Law Journal* 770–795

Peel, J, 'A GMO by Any Other Name... Might Be an SPS Risk!: Implications of Expanding the Scope of the WTO Sanitary and Phytosanitary Measures Agreement' (2006) 17 *European Journal of International Law* 1109–1031

Ramsay, I and **Saunders, B**, 'Litigation by Shareholders and Directors: An Empirical Study of the Statutory Derivative Action' (2006) 6 *Journal of Corporate Law Studies* 397–446

Richardson, M and **Garnett, R**, 'Towards and Beyond an Australian Private International Law of Cross-Border Communications Disputes' (2006) 11 *Media and Arts Law Review* 331–340

Sarakis, M, 'Less is More': Providing for Waiver of Subrogation Rights in Contract Works Insurance Policies' (2006) 17 *Insurance Law Journal* 237–255

Saunders, C, 'The Use and Misuse of Comparative Constitutional Law' (2006) 13 *Indiana Journal of Global Legal Studies* 37–76

Sellenger, B, 'Chasing the Golden Goose: A Legal Approach to Sports Accessing Gambling Revenue' (2006) 34 *Australian Business Law Review* 7–27

Sheehan, K, 'Outrage + Camouflage: The Utility of the Managerial Power Approach in Explaining Executive Remuneration' (2006) 24 *Company and Securities Law Journal* 24–40

Shi, C, 'Securities Regulation and Competition in China' (2006) 14 *Trade Practices Law Journal* 120–128

Skene, L, 'Conjunctions and Disjunctions' (2006) *Macquarie Law Symposium* 51–57

Skene, L, 'Should the Law Limit Genetic Tests on Embryos and Foetuses?' (2006) 29 *University of New South Wales Law Journal* 250–253

Smith, A, 'Defending the Unpopular Down-Under' (2006) 30 *Melbourne University Law Review* 495–553

Stapledon, G, 'The Determinants of CEO Compensation: Rent Extraction or Labour Demand?' (2006) 38 *British Accounting Review* 259–275

Stewart, M, 'Are You Two Interdependent?' Family, Property and Same-Sex Couples in Australia's Superannuation Regime' (2006) 28 *Sydney Law Review* 437–476

Stone, A and **Evans, S**, 'Australia: Freedom of Speech and Insult in the High Court of Australia' (2006) 4 *International Journal of Constitutional Law* 677–688

Szorenyi, A and **Rogers, J**, 'Congealed by Law: Terrorism, Torture and the Possibilities of Critique' (2006) 24 *Australian Feminist Law Journal* 1–19

Tobin, J, 'Beyond the Supermarket Shelf: Using a Rights Based Approach to Address Children's Health Needs' (2006) 14 *International Journal of Children's Rights* 275–306

Voon, T, 'State Support for Audiovisual Products in the World Trade Organization: Protectionism or Cultural Policy?' (2006) 13 *International Journal of Cultural Property* 129–160

Voon, T, 'To Uphold, Modify or Reverse? How the WTO Appellate Body Treats Panel Reports' (2006) 7 *Journal of World Investment & Trade* 507–518

Voon, T, 'UNESCO and the WTO: A Clash of Cultures?' (2006) 55 *International and Comparative Law Quarterly* 635–652

Voon, T and Yanovich, A, 'The Facts Aside: The Limitation of World Trade Organization Appeals to Issues of Law' (2006) 40 *Journal of World Trade* 239–257

Waugh, J, 'Appointing the Governor-General: The Case of William McKell' (2006) 17 *Public Law Review* 49–59

Waugh, J, 'Government Control of Royal Assent in Victoria' (2006) 8 *Constitutional Law and Policy Review* 69–74

Waugh, J, 'The Brummagem Coup: The Start of Self-Government in Victoria' (2006) 77 *Victorian Historical Journal* 143–161

Weatherall, K, 'Can Substantive Law Harmonisation and Technology Fix Conflicts Problems?' (2006) 11 *Media and Arts Law Review* 393–417

Witting, C, 'Breach of the Non-Delegable Duty: Defending Limited Strict Liability in Tort' (2006) 29 *University of New South Wales Law Journal* 33–30

Yanovich, A and **Voon, T**, 'Completing the Analysis in WTO Appeals: The Practice and its Limitations' (2006) 9 *Journal of International Economic Law* 933–950

Other Journal Contributions

Alfitri, 'The Law of Zakat Management and Non-Government Zakat Collectors in Indonesia' (2006) 8 *The International Journal of Not-for-Profit Law* 55–64

Ali, P, 'Lender Liability by J. O'Donovan' (2006) 21 *Journal of International Banking Law and Regulation* 607–608

Ali, P, 'Project Finance by G. Vinter' (2006) 21 *Journal of International Banking Law and Regulation* 429–430

Anderson, K and **Ramsay, I**, 'Union Shareholder Activism' (2006) 13 *Australian Corporate News* 1–5

Beaton-Wells, C, 'Do Judges Buy Chocolate and Does It Matter?' (2006) 14 *Trade Practices Law Journal* 228–233

Bell, M, 'Scaling the Peak: The Prevention Principle in Australian Construction Contracting' (2006) 3 *International Construction Law Review* 318–354

Bell, M, Evans, P, Kirsch, H, Britton, P, Frilet, M, Chan, E, Chao-Duivis, M, Auchie, D, Pillay, M and Sklar, S, 'Construction Law Graduate Studies: Around the World in 80 Subjects' (2006) 1 *Construction Law International* 19–25

Christie, A, Davidson, J and **Rotstein, F**, 'Canada's Private Copying Levy – Does It Comply with Canada's International Treaty Obligations?' (2006) 20 *Intellectual Property Journal* 111–134

Davies, M, 'Neilson v Overseas Projects Corporation of Victoria Ltd: Renvoi and Presumptions about Foreign Law' (2006) 30 *Melbourne University Law Review* 244–268

Evans, C and **Thomas, C**, 'Church-State Relations in the European Court of Human Rights' (2006) 3 *Brigham Young University Law Review* 699–725

Howe, J, 'Book Review: Simon Deakin and Frank Wilkinson – The Law of the Labour Market: Industrialization, Employment, and Legal Evolution' (2006) 48 *Journal of Industrial Relations* 280–282

Lindsey, T, 'Muddling Through: Indonesia's Brave Experiment in Reinventing its Legal System' (2006) 87 *Inside Indonesia* 4–7

Lindsey, T, 'Tribute-Australia's Asian Law Pioneer: Professor Malcolm D H Smith, 21 August 1945–22 June 2006' (2006) 30 *Melbourne University Law Review* 297–299

Orford, A, 'A Journal of the Voyage from Apology to Utopia' (2006) 7 *German Law Journal* 993–1010

Orford, A, 'Human Rights After Faith' (2006) 7 *The Melbourne Journal of International Law* 1–12

Orford, A, 'Book Review: The Fluid State' (2006) 7 *The Melbourne Journal of International Law* 425–436

Oswald, B, 'Roles and Challenges for Operations Lawyers' (2006) *The Thai JAG Journal* 164–191

Otto, D, 'A Sign of "Weakness"? Disrupting Gender Certainties in the Implementation of Security Council Resolution 1325' (2006) 1 *Michigan Journal of Gender and Law* 113–175

Richardson, M, 'Book Review: Media Freedom under the Human Rights Act, by H Fenwick and G Phillipson' (2006) 11 *Media and Arts Law Review* 458–459

Shi, C, 'Competition in China's Securities Market: Reform of Current Regulatory System' (2006) 3 *Loyola University Chicago International Law Review* 213–231

Stewart, M, 'Venture Capital Tax Reform in New Zealand and Australia (Part 1)' (2006) 17 *Journal of International Taxation* 40–55

Stewart, M, 'Venture Capital Tax Reform in Australia and New Zealand (Part 2)' (2006) 17 *Journal of International Taxation* 42–54

Tehan, M, 'Book Review: Heritage Law in Australia' (2006) 29 *University of New South Wales Law Journal* 355–361

Weatherall, K, 'Case Comment: Infringement of Copyright in Television Broadcast – What Constitutes Substantial Portion of Original Broadcast – 'The Panel'' (2006) 37 *IIC – International Review of Intellectual Property and Competition Law* 356–357

Conference Papers

Godden, L, 'Re-Imagining the Social Contract: Agreement-making with Indigenous and Local Peoples', Transforming Institutions: Governments, NGO's and Communities in Partnership Conference, University of Melbourne, Melbourne, 2006

Lambiris, M, 'A Methodology for Providing Individualised Computer-Generated Feedback to Students', Proceedings of the 1st International Conference of Virtual Learning, Bucharest, 2006

Otomo, Y, 'The Southern Bluefin Tuna Case: A 'Highly Technical, Highly Uncertain' Future for Environmental Law?', Biodiversity Summit 2006 Proceedings, Hobart, 2006

Otto, D, 'The Power of Indicators to Shape Women's Property Rights: Taking a Human Rights Approach', Development Bulletin, Canberra, 2006

Stewart, M, 'Capital Allowances: A Successful Reform?' Australian Tax Research Foundation, Business Tax Reform, Sydney, 2006

Stewart, M, 'A Conceptual Analysis of Consultation in Tax Reform' Australian Tax Research Foundation Conference, Executing the Income Tax, Sydney, 2006

Stewart, M, 'Governance and Tax Reform', International Network for Tax Research Conference on Tax and Development, University of Michigan School of Law, 2006

Stewart, M and **Walker, K**, 'Restricting the Legislative Power to Tax in Australia' 17th Congress of the International Academy of Comparative Law, The Netherlands, 2006

Reports / Working Papers

Barnes, A, Josev, J, Lenne, J, **Marshall, S**, **Mitchell, R**, **Ramsay, I** and **Rider, C**, *Employee Share Ownership Schemes: Two Case Studies*, Centre for Corporate Law and Securities Regulation, University of Melbourne, Melbourne (2006)

Dent, C, Jensen, P, **Waller, S** and Webster, E, *Research Use of Patented Knowledge: A Review*, Report No 2006/2 for OECD Directorate for Science, Technology and Industry (STI), Paris (2006)

Howe, J and **Landau, I**, 'Light Touch' Labour Regulation by State Governments in Australia: A Preliminary Assessment, Report No 40, Centre for Employment and Labour Relations, University of Melbourne, Melbourne (2006)

Kenyon, A and Liberman, J, *Controlling Cross-Border Tobacco Advertising, Promotion and Sponsorship – Implementing the FCTC*, Centre for Media and Communications Law, University of Melbourne, Melbourne (2006)

Ramsay, I and **Lew, N**, *Corporate Law Reform and Delisting in Australia*, Centre for Corporate Law and Securities Regulation, University of Melbourne, Melbourne (2006)

Rhoades, H, Sanson, A, Astor, H and **Kaspiew, R**, *Working on their Relationships: A Study of Inter-Professional Practices in a Changing Family Law System*, University of Melbourne, Melbourne (2006)

Rider, C, **Hong, X**, **O'Connell, A**, **Stewart, M** and **Herring, M**, *Taxation Problems in the Commercialisation of Intellectual Property*, Report No 01/06, Intellectual Property Research Institute of Australia, University of Melbourne, Melbourne (2006)

Sharpe, M and **Parker, C**, *The ACCC Enforcement and Compliance Project: Assessment of the Impact of ACCC Regulatory Enforcement Action in Unconscionable Conduct Cases*, Centre for Corporate Law and Securities Regulation, University of Melbourne, Melbourne (2006)

Stewart, M, *Same-Sex: Same Entitlements: A Submission to the Human Rights and Equal Opportunity Commission*, Australian Human Rights and Equal Opportunity Commission, Sydney (2006)

Reference Works

Christie, A and Gare, S, *Blackstone's Statutes on Intellectual Property* (8th Edition) (2006) Oxford University Press, United Kingdom

Computer Software Products

Lambiris, M, *The Law of Agency*, Australian Law Courseware, Parkville (2006)