

Centre for Law and Social Justice A Year in Review 2022



The Centre for Law and Social Justice is a site for research, engagement, learning and advocacy. Here, expert researchers and clinical staff from the School of Law and Justice partner with students, communities, and key organisations. We operate as a dynamic hub to drive social justice reform and contribute to policy making.



THE UNIVERSITY OF
NEWCASTLE
AUSTRALIA

**CENTRE FOR LAW
AND SOCIAL JUSTICE**





From the directors:

What a year we have had in the Centre for Law and Social Justice! This Year in Review captures some highlights of the many and varied events we were able to deliver in our first year of operation, but it only tells part of the tale – the big behind the scenes story is one of collaboration, intellectual engagement, skill building, and goodwill that has positioned the Centre for a very exciting future. Our thanks to Professor Tania Sourdin, Dean and Head of the School of Law and Justice, for her vision and inspiration to design the Centre as a focus for our School's efforts to promote social justice and law reform, and our associated collaborations with our communities. We also gratefully acknowledge the investment of the University of Newcastle in the Centre's establishment, through a 2022 Research Stimulus Program grant, and the support of the College of Human and Social Futures. Thank you, also, to the dedicated professional staff of the School of Law and Justice for their ongoing support.

In its first year of operation, the Centre for Law and Social Justice has rapidly built a national and global profile as a driving force in social justice research, policy-making, law reform, and community engagement. It boasts an impressive network of partner organisations, fellows, and associates, and is investing in clinical initiatives, research training, and student internships to build a sustainable future. The Centre's early successes are a tribute to the combined efforts of so many contributors, and we welcome the opportunity to acknowledge them here. Our wonderful project officer, Saskia Jones, has made possible so many initiatives through her enthusiasm, can-do approach, and talented work. Our establishment grant afforded the opportunity to employ three post-doctoral research fellows – Sam Blanch, Ana Goncalves, and Aloka Wanigasuriya – whose efforts greatly enriched the Centre's research and engagement agendas. Several students of the School of Law and Justice have made outstanding contributions to our work as research assistants. Our highly valued University Fellows, Centre Associates and Partner Organisations have been crucial to our achievements and we look forward to continuing our collaborative work with them towards shared justice goals.

Fundamentally, the Centre for Law and Social Justice exists as an expression of a very special academic and clinical enterprise – the University of Newcastle School of Law and Justice. In 2022 we celebrated our 30th anniversary as a School, and welcomed the discipline of Criminology to join the discipline of Law. Our School has an outstanding reputation for teaching, research, clinical practice and engagement in service of our communities and with social justice as a core value. We pay tribute to the scholars and legal professionals who have built our School and its distinctive culture and character.

Amy Maguire and Shaun McCarthy



The Djokovic Visa Controversy, Human Rights and Australian Law

On 1 March 2022, an eminent panel of legal experts explored the legal controversies emerging from the cancellation of Novak Djokovic's Australian visa. The panel discussed the 'godlike' powers of the Immigration minister, Australia's immigration and border policies, expedited access to courts and the relationship between sport and human rights in Australia. The webinar attracted an audience of 50+ people. Find the summary of materials referred to throughout the webinar [here](#). The webinar received positive feedback with one attendee commenting:

"I found the webinar very interesting. Particularly the comments in regard to Australia's immigration and ministerial powers"

Panellists:



Professor
Jack Anderson

Dr Sangeetha Pillai

Associate Professor
Mary Anne Kenny

Associate Professor
Maria O'Sullivan

Associate Professor
Amy Maguire



Public Lecture, The Honourable Michael Kirby, former Justice of the High Court of Australia, 'Russia Ukraine and Peoples Right to Self Determination'

On 5 May 2022, the Centre hosted the Honorable Michael Kirby AC CMG for a public lecture titled, 'Russia Ukraine and Peoples Right to Self Determination'. The lecture encouraged people to think about the core principles that have driven self-determination in the modern world. Including, consideration of past wars, the establishment of human rights approaches and recent conflicts. The lecture considered the practical arrangements that exist in respect of modern warfare, the importance of human struggle and the disastrous consequences (including options surrounding nuclear threats) of not acting as a cohesive international community. The Honourable Michael Kirby concluded by urging us to learn from past conflicts and the arrangements that followed, to inform a response where self-determination by one nation and its people conflicts with a view of self-determination by a neighbour. The event attracted a large audience of 120 people.





Legal Practice for First Nations Rights

On 12 May 2022, the Centre hosted a panel of legal experts who discussed the diversity of legal practice for First Nations Rights. The panel explored intellectual property, native title, criminal and civil law and public interest advocacy. The Centre also hosted a preliminary event for current Indigenous law students to engage with panel members. Over 50 attendees – students, academics, legal professionals and community members engaged with this enriching panel event.

"How phenomenal. Such a broad range of panellists and so insightful. What a fantastic opportunity to be a part of. Thank you so much."

"A fabulous panel speaking about gaps in the law preventing justice for First Nations Peoples."

Panellists:



Kishaya Delaney



Lauren Davies



Chris Turner



Luke Hawthorne



International Human Rights Law - Lessons in the Era of Covid-19

On 23 May 2022, a panel of international human rights experts explored human rights in the context of COVID-19, referencing their recently published article in the Australian Journal of Human Rights. The discussion focused on the rights of vulnerable individuals and communities who have experienced disproportionate impacts from both the pandemic itself and measures that constrain the exercise of human rights. The pandemic has demonstrated both the essential nature of global cooperation and international regulation to promote universal rights to life and health, and the potentially harmful impacts of limitations imposed on human rights in time of emergency. The event attracted an audience of 30+ people.

"Fantastic Webinar. Accessible, engaging, contemporary and thought-provoking content delivered. Huge thank you to the panelists and to everyone who made it happen."

Panellists:



Associate Professor Amy
Maguire



Associate Professor Fiona
McGaughey



Professor Susan Harris
Rimmer



Associate Professor Mary
Anne Kenny



**Her Excellency the Honourable Margaret Beazley AC QC, Governor of NSW,
Launches the Centre for Law and Social Justice**

On 2 June 2022, Her Excellency the Honourable Margaret Beazley AC QC, Governor of NSW, officially launched the Centre, delivering the keynote address on social justice and the principles of fairness and access to justice. She referred to the importance of adequate funding of legal aid services and the funding of support services in rural communities. The Governor challenged law students to serve disadvantaged communities and uphold the principles of fairness and social justice. Read the full speech [here](#).

"What there should never be, is any discrepancy in fairness, never any discrepancy in the way people have access to a basic comfort in life and basic standard of living. That is why social justice should be at the heart, not only of the legal philosophy, but at the social heart of every institution, and the way every educated person then serves the community."





Bridge of Hope Innocence Initiative (BOHII)

On 29 August 2022, the Centre hosted a panel discussion to highlight the work of the Bridge of Hope Innocence Initiative (BOHII). The BOHII was established at the University of Newcastle in 2019, and is now housed within the Law School. It aims to investigate claims of wrongful conviction and campaign for the reform of issues that lead to these injustices. It also looks at cold case reviews, as well as missing persons investigations. The Initiative provides an opportunity for criminology and law students, as well as those from allied disciplines such as psychology, to work on public interest cases in a work integrated learning context, dealing with real evidence including police statements, court transcripts, and post-mortem reports. The Initiative also provides students with deep learning opportunities to work with authorities, experts, and where appropriate speak with those directly impacted by the event. This event attracted a large audience with 80+ students attending.

Panellists:



Peter Gogarty



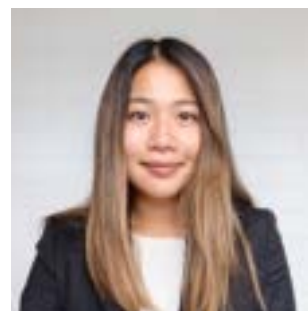
Associate Professor
Xanthe Mallet



Dr Shaun McCarthy



Tori Berezowski



Alice Zhang



Potential Career Paths and Social Justice opportunities Alumni Q&A

On 8 September 2022, the Centre hosted a morning tea and Q&A with two high profile Newcastle law alumni, Elizabeth McLaughlin and Rebecca Silberberg. This event provided an opportunity for students to hear about potential career paths and the social justice opportunities available for law graduates. The event attracted an audience of 30+ law students.

Rebecca Silberberg was the University of Newcastle's 2022, 'Young Alumni Award' recipient. Rebecca's full story can be accessed [here](#). Elizabeth McLaughlin was the University of Newcastle's 2022 'Regional Leadership Award' recipient. Elizabeth's full story can be accessed [here](#).

The recipients of the 2022 Alumni Excellence Awards can be accessed [here](#).



Film Screening: Incarceration Nation

On 15 September 2022, the Centre hosted a film screening of Incarceration Nation. The film is a powerful and groundbreaking documentary which tells the story of Indigenous incarceration in Australia from invasion to today. Told by First Nations voices, the film goes beyond the headlines and statistics, to the real people and families who are harmed by the justice system.

After the screening, a panel discussed the issues raised in the documentary, including; the latest incarceration statistics in NSW, the cost of incarcerating young persons, the need to divert young people away from punitive responses, the age of criminal responsibility and the ways we can take action to create meaningful change. The screening attracted an audience of 40+ people.

Panellists:



Emma Parker



Charlotte Pascall



Taylah Gray _



Damien Linnane _



HDR Social Justice Roundtable

On Friday 16 September 2022, the Centre in collaboration with [CIFAL Newcastle](#), convened a HDR Roundtable on social justice and the Sustainable Development Goals (SDGs). The roundtable was part of a calendar of events that formed the inaugural Newcastle Social Justice Festival. The event brought together nine HDR candidates from across disciplines, including: Education, Law, Sociology, Architecture and Built Environment. [Laureate Professor Robert Sanson-Fisher](#) acted as the roundtable discussant. The aim of the event was to, grow inter-disciplinary networks among HDR students, build awareness of the variety of projects at the University of Newcastle relating to social justice and the SDGs and provide an opportunity for HDR candidates to present their work in an informal supportive environment.

Participants:

- [Sushmita Choudhury](#), *Farmers' Rights in Bangladesh: Intellectual Property Rights (IPRs) Regime*
- [Hasanthi Kingsley](#), *From Capabilities to Climate Justice: Analysing Climate Adaptation Policy and Practice in the Global South*
- [Simonne Pengelly](#), *Here Today Gone Tomorrow – Identifying opportunities for creative enterprise to better support disaster risk reduction activities*
- [Alphonsa Jojan](#), *Assessing the concept of Access and Benefit Sharing in the context of Convention on Biological Diversity through an empirical study of Indian Law*
- [Ann Apps](#), *Why can't we Co-operate? The role of Law and Regulation in the Development and Growth of Co-operative Enterprise in Australia*
- [Bethany Butchers](#), *Native Title and Compensation: Phase Two of Australia's Native Title Journey*
- [Krista Tomas](#), *Behaviour Management with Dynamic Intention: Applying a Neurocognitive Method of Behaviour Management in Australian High School Classrooms*
- [Rukiya Stein](#), *The Intermediary Special Measure- Enabling Vulnerable People to 'Tell Their Story in the Australian Justice Process*



Sir Ninian Stephen Lecture and 30th Anniversary Ball

On 17 September 2022, Newcastle Law School celebrated its 30th Anniversary with the the Sir Ninian Stephen Lecture delivered by the Chief Justice of New South Wales, The Honourable Andrew Bell. The event proudly raised funds for the Refugee Early Entry Scheme which is an entry pathway at Newcastle School of Law and Justice that enables early admission to students with a refugee background.

The Honourable Andrew Bell's full speech, titled 'Innovative Justice' can be accessed [here](#).





Image credit: Maitland Mercury

Disability Rights and the NDIS

On 21 September 2022, the Centre hosted an online webinar, with speakers who had first-hand experience with the NDIS, the legal challenges against the National Disability Insurance Agency (NDIA) at the Commonwealth Administrative Appeals Tribunal (AAT) and engagement with disability rights. The panel discussed the gaps that currently exist in funding, how these gaps might be addressed, the backlog of cases at the AAT and the large amount of legal fees spent by the government in reviewing NDIS decisions. The panel also discussed the Minister for the NDIS, Bill Shorten's, recent promise to fast-track decisions and encourage a 'lawyer-free' alternative dispute resolution process to put people with disability in charge. The webinar attracted an audience of 40+ people.

"Thanks to the panelists for important insights about the issues and also providing some hope going forward."

"I learnt a lot about the AAT processes and how the NDIS affects not only participants but advocates and families."

Panellists:



Mark Grierson



Bobby Fish



Mary-Anne Cosic



Giancarlo de Vera



Dr Ana Goncalves



Who is Missing out on the Right to Health?

On 27 September 2022, in collaboration with the [Human Rights Law Centre](#), a panel of experts explored the right to health. The panel discussed the need for equal access to quality healthcare and access barriers experienced by people living with disabilities, older people, and people in remote and multicultural communities. The panel discussed how a [Charter of Human Rights](#) would be a powerful tool to help Australians uphold their right to health. Related resources are available through [Australian Multicultural Health Collaborative](#). This event attracted an audience of 100+ people.

"Wonderful session across a broad range of health-related issues. I look forward to reviewing the recording when it is shared and thank the panel members for their time and insights."

Panellists:



[Mohammad Al-Khafaji](#)



[Keren Adams](#)



[Associate Professor
Paul Harpur](#)



[Associate Professor
Amy Maguire](#)



Entropy Awakening Exhibition

On 5 October 2022, the Centre supported the launch of 'Entropy Awakening.' The exhibition traced perspectives of colonialism, the regulation of public spaces, and First Nations futurisms through the works of Travis De Vries. The Exhibition is linked to an interdisciplinary Art, Law & Justice research project led by Dr Marie Hadley that was inspired by the defacement of statues of historical figures that occurred during the Black Lives Matter protests in June 2020. More information on the research project can be found here, and the underpinning legal research here and here.

The launch of Entropy Awakening attracted 50+ attendees and the installation recieved significant print and radio media interest. The exhibition offered a critical reflection on different forms and futures involving anti-racism protest and the importance of dialogue in confronting and moving through colonial legacies. Further details on the exhibition can be accessed here and media coverage here.

Artist: Travis de Vries

Curator: Marie Hadley

Sonic Response: Adam Manning

Social Design Researcher: Rewa Wright





Methodology Workshop: Socio-Legal Skills for Addressing Social Justice Questions

On 7 October 2022, the Centre hosted a full-day Methodology Workshop at the University of Newcastle, NUspace campus. Participants had the opportunity to develop practical skills in qualitative research through a collaborative program led by diverse researchers and practitioners. The interdisciplinary workshop introduced practical skills, from participant observation and interviewing to visual and collaborative research design, while articulating and showcasing the importance of inclusive community-based research practice.

The workshop was organised and supported by Postdoctoral Research Fellow Sam Blanch and attracted 25 participants from within the University and beyond, including participants from NSW Health, Social Work, Law, and Creative Industries. The workshop aimed to explore and promote ethical best practice in research design for socially just outcomes.

“Such a wonderful, diverse and thought-provoking programme, with so many different perspectives and examples of different ways social research can be ethically approached.”





World Day Against the Death Penalty

On 10 October 2022, the Centre observed World Day Against the Death Penalty by hosting a panel discussion. The World Day Against the Death Penalty unifies the global abolitionist movement and mobilises civil society, political leaders, lawyers, public opinion and more to support the call for universal abolition of capital punishment. The day encourages and consolidates the political and general awareness of the world-wide movement against the death penalty. Discussion explored the connection between the death penalty and sentences of life without parole, the global abolition movement, international human rights issues and Australia's response to the execution of two Australian nationals in Bali 2015. The event attracted an audience of 60+ people. The resource sheet can be found [here](#). Key organisations include:

- [Amnesty International](#)
- [Reprieve](#)

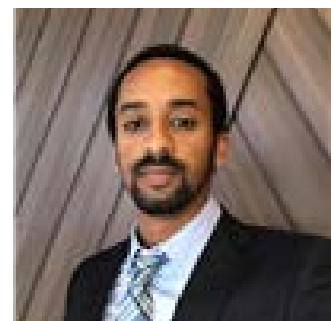
Panellists:



Professor
John Anderson



Associate Professor
Amy Maguire



Dr Samuel Woldemariam



The Russia-Ukraine War: Contemporary Challenges and Developments

On 17 October 2022, a panel of experts discussed issues connected to the recent case initiated by Ukraine at the International Court of Justice (ICJ), allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation) and accountability efforts for the alleged international crimes committed during the Russia-Ukraine war from an international criminal law and Ukrainian domestic legal perspective. 200+ people registered for the event, with 85 people joining live, the recording has been accessed 122 times.

"Thanks, really interesting webinar with high quality speakers."

Panellists:



Anton Korynevych



Associate Professor
Gaiane Nuridzhanian



Aloka Wanigasuriya



Juliette McIntyre



Associate Professor
Amy Maguire



Youth Forum: Right to Education

On Tuesday 1 November 2022, the Centre for Law and Social Justice, in collaboration with the Human Rights for NSW Alliance, hosted a Youth Forum on the Right to Education. This event brought together 70 high school students from 17 schools across the Hunter region of NSW to discuss the right to education in the context of human rights. Students ranged from 13 to 17 years of age. Together they deliberated over the following two questions:

1. What obstacles do young people face as they seek to exercise their right to education?
2. How can the right to education be better promoted and protected in future for all young people?

Students engaged in a collaborative writing session to draft the '**School Students' Statement on the Right to Education.**' Tim Crakanthorp MP, Member for Newcastle and Shadow Minister for Skills and TAFE and Tertiary Education, attended the forum and later reported on the Students' Statement to the NSW Parliament. Mr Crakanthorp described the Statement as 'inclusive and thorough, showing genuine consideration for people of diverse backgrounds, living situations and abilities'. He reported to Parliament:

"Our future is in very good hands with those young people at the helm. Until then, it is imperative on us to listen, learn and act."





The International Criminal Court in Ukraine and Georgia

On 29 November 2022, Postdoctoral Research Fellow Aloka Wanigasuriya reflected on the findings of their PhD thesis titled 'The Impact Conundrum: The International Criminal Court and the Impact of its Interventions in Georgia and Ukraine', which was successfully defended in May 2022. The webinar focused on the ICC's continued impact in the two countries and how these two situations may have an impact on the Court and the larger international criminal justice project.

Aloka was joined in conversation by Dr. Mark Kersten who is an Assistant Professor of Criminology and Criminal Justice at the University of the Fraser Valley (British Columbia, Canada), a Senior Consultant at the Wayamo Foundation, and a senior researcher at the Munk School of Global Affairs at the University of Toronto. The event attracted an audience of 30+ people.

"Thanks – hot topic, terrific speakers, stimulating conversation – it doesn't get a lot better!"

Panellists:



Aloka Wanigasuriya



Mark Kersten



Associate Professor
Amy Maguire



Medicare in Prisons: Lobbying for reforms in custodial healthcare

On 5 December 2022, the Centre supported a roundtable discussion. The roundtable brought together people with lived experience, academics and justice professionals to consider incarcerated peoples' lack of access to Medicare, Australia's 'universal' health care system. The lack of Medicare access causes many issues not only for people in prison themselves, but also for the general community. The consequences include unnecessary deaths, the exacerbation of mental health conditions, increased recidivism, and increased strain on public health services once those in custody are released. While the costs of providing Medicare access in prisons may appear substantial, all available evidence suggests it would be highly cost effective as improved mental and physical health is known to reduce reoffending, thereby avoiding the high costs of reincarceration. This event was co-hosted with the Justice Health Unit (Curtin University, University of Melbourne and Murdoch Children's Research Institute) and attracted a large audience of 25 people in person and 40 people online.

Panellists:



Damien Linnane

Professor
Megan Williams

Dr Dana Slape

Dr Margaret Faux

Gerry Georgatos



Dr Stephen Hampton



The Hon. John Dowd
AO KC



Justice Innovation Symposium

On 9 December 2022, the Centre hosted a Justice Innovation Symposium at the University of Newcastle NUspace campus. The symposium brought together academics, lawyers, advocates and other interested persons to discuss topics varying from:

- Innovation, Vulnerability and Cultural Context
- Issues and Opportunities presented by Technological Innovation
- Regulation and Governance Approaches to Technological Innovation

The Symposium consisted of thirteen presentations, with representation from eight institutions. The event attracted an audience of 40+ persons.

**Keynote, Professor Tania Sourdin, Dean of Newcastle School of Law and Justice,
Justice Innovation – What's Next?**



Justice is often poorly defined. Like beauty, it is often said to be in 'the eye of the beholder'. This session explores perceptions and objectives of justice before turning to some examples of innovation in courts and the broader justice system. In addition, part of the session will consider trends in innovation and possible future options that can involve at times, contradictory shifts in relation to technology, global commerce and an increasing focus on therapeutic and restorative justice. Each of these trends can raise issues linked to justice objectives and ethical arrangements.

