

Faculty of Law
University of Tasmania

Summer School Offerings 2013

5 Summer School Units will be offered in the 2013 session

- Please read important information regarding enrolment in Summer School units on page 11.
- Students should particularly note that although each of the summer school units runs for three weeks there will be assessment tasks outside of the three-week period. As such, students should plan to be available to undertake assessment tasks for at least ten days after each of the formal summer school sessions have been completed.

LAW622 Law Elective 5 (Concepts of Property)

Start Date:	3 January 2013
Finish Date:	18 January 2013
Length of Unit:	Please see below for details of the timetable
Lecturer:	Professor Marsha Baum
Elective Group:	A
Assessment:	25% exam (1 hour) 75% research assignment

Unit Description:

This course will explore the underpinnings of property law and the divergent cultural, social and political views related to the acquisition of property by discovery, capture and creation that are drawn into the efforts to answer the basic question, “What is property?” Course material will provide opportunity for consideration of original possession of property in the contexts of: discovery versus conquest of inhabited lands; the theory of occupancy; the commons and the anti-commons; intangible property such as ideas, writings, and inventions; animals as property; and, people as property including wives, children and slaves. Readings will include cases from the U.S. and Australia and excerpts from articles and books related to the cases and concepts.

About the Lecturer:



Professor Marsha Baum is Dickason Professor of Law at the University of New Mexico, School of Law in Albuquerque, New Mexico. She is a U.S. attorney licensed to practice in New York State. She has a B.A. from the University of Rochester, an M.S. from Columbia University, and a J.D. from SUNY at Buffalo. She has been teaching in U.S. law schools for almost 25 years, with primary focus on intellectual property, legal ethics, and property law. Her current research interests include weather and the law and the status of non-human animals under the law. Her comparative work on the U.S. and Australia has included lectures and presentations at various conferences and symposia around Australia, most recently in 2011 when she was the keynote speaker at the Australian Animal Studies Group meeting in Brisbane and a visiting scholar at the University of Sydney.

Concepts of Property timetable for the 2013 Summer School:

This unit will be taught over 12 days (3-18 January, 2013), 9.00am-12.00noon.

LAW677 Law Elective 2 (International Criminal Law)

Start Date: 8 January 2013
Finish Date: 25 January 2013
Length of Unit: 3 weeks (please see below for details of the timetable)
Lecturer: Professor Tim McCormack
Elective Group: B
Assessment: 30% research assignment
70% exam (2 hours)

Special Note: *In addition to the standard pre-requisites for electives, students must have passed LAW631 International Law to enrol in this unit*

Unit Description:

Since the establishment by the UN Security Council of the International Criminal Tribunal for the Former Yugoslavia in 1993, the pace of development in International Criminal Law has been breathtaking. The new international institutions – the two ad hoc international criminal tribunals for the Former Yugoslavia and for Rwanda and the new International Criminal Court – have helped to spawn a plethora of new national and international tribunals (Kosovo, Sierra Leone, Cambodia, Iraq, Lebanon), national and international legislation, criminal proceedings and jurisprudence. Issues of International Criminal Law in Australia are regularly covered in the media – the proceedings against David Hicks by US Military Commission, the Croatian request for extradition from Australia of the alleged war criminal ‘Captain Dragan’ and the Hungarian Government’s request for extradition of the Australian Charles Zentai for his alleged murder of a young Jewish boy in Budapest during World War II are all recent examples.

Topics will include:

The concept and bases of individual criminal responsibility for violations of international law, historical development of international criminal law, definitions of war crimes, crimes against humanity and genocide, jurisdiction for the prosecution of international crimes (particularly universal jurisdiction), international criminal tribunals, the new International Criminal Court and Australian legislative approaches to national implementation of international criminal law.

About the Lecturer:



Tim McCormack is both a graduate and an Adjunct Professor of the UTas Law School. He is also a Professor of Law at the University of Melbourne Law School and the Special Adviser on International Humanitarian Law to the Prosecutor of the International Criminal Court in The Hague. He acted as *amicus curiae* on international law matters to the judges of Trial Chamber III of the International Criminal Tribunal for the Former Yugoslavia in The Hague for the trial of Slobodan Milošević (2002-2006) and also provided advice to Major Mori, the US appointed military lawyer defending David Hicks, on International Humanitarian Law aspects of the proceedings before the US Military Commission (2003-2007). In June 2011 he was appointed one of two international observers (with Lord David Trimble of Northern Ireland) in Jerusalem to the Turkel Commission of Enquiry into Israel's processes for investigating alleged war crimes.

International Criminal Law timetable for the 2013 Summer School:

Classes will run from 1-4pm Tues – Thurs in each of the three weeks commencing Tues 8 January 2013. There will also be a class from 1-4pm on Monday 14 January.

LAW619 Biotechnology Law

Start Date:	29 January 2013
Finish Date:	15 February 2013
Length of Unit:	3 weeks (please see below for details of the timetable)
Lecturers:	Prof Dianne Nicol (Faculty of Law, University of Tasmania); Professor Don Chalmers (Faculty of Law, University of Tasmania)
Elective Group:	A
Assessment:	Test (50%); 2 Short Assignments (40%); Participation (10%).
Special Note:	Law students will be required to participate in a 2 to 3 hr primer on basic biotechnology concepts; Biotechnology students will be required to participate in a 2 to 3 hr primer on basic legal concepts.

Unit Description:

Designed to provide law students and biotechnology students with an overview of the major legal issues being encountered by participants in the biotechnology industry in both the public and the private sector, including scientists, lawyers, company executives, clinicians, regulators and policy makers. Topics include: research and industry ethics, with particular focus on the conduct of research with commercial implications; regulation of biotechnology, cloning and stem cell technology; legal issues in the use of animals and human tissue in research; intellectual property issues, including international perspectives; access to natural resources, with particular focus on developing countries; and access to the benefits of the biotechnology revolution.

About the Lecturers:



Prof Dianne Nicol is Associate Dean - Research in the Faculty of Law at the University of Tasmania and a Deputy Director with the Centre for Law and Genetics. She is also past chair of the University Animal Ethics Committee. Her major research interests are focused on intellectual property and commercialization issues in genetic and biotechnology research. She has first class honours degrees in zoology and law. She was awarded a PhD in cell and developmental biology from Dalhousie University in Canada in 1987 and an LLM in intellectual property law from the University of Tasmania in 1997.



Professor Donald Chalmers is Director of the Centre for Law and Genetics. He is Chair of the Gene Technology Ethics and Community Consultative Committee, Office of Gene Technology Regulator; Member, NHMRC National Biobanking Strategy Committee, 2011; and, internationally, Chair Data Access Committee of the International Cancer Genome Consortium and Deputy Chair international Human Genome Organisation Ethics and Policy Committee

In the past, he has been Chair of Australian Health Ethics Committee of the NHMRC 1993 - 2000. (During this period Member of Executive Council); Chair of the Australian Red Cross Ethics Committee from 2000 until 2010; Deputy Chair of the National Health and Medical Research Council (NHMRC) Embryo Research Licensing Committee.; Member of the Scientific Review Panel, Genome Canada, 2004-10; and Consultant, Australian Law Reform Commission/AHEC Essentially Yours: Report 96 2003

Biotechnology Law timetable for the 2013 Summer School:

This unit will be taught from 1.00pm-4.00pm, Monday to Friday over the three week period (but not necessarily a full 3-hour lecture every day). Further details will be given in the opening lecture on January 29, 2013.

LAW606 Law of the Oceans and the Antarctic

Start Date:	4 February 2013
Finish Date:	18 February 2013
Length of Unit:	2 weeks (please see below for details of the timetable)
Lecturers:	Dr Gail Lugten
Elective Group:	B
Assessment:	2 x 20% Closed Book Multiple Choice and Geography Map Test; 60% Open Book Exam

Unit Description:

Considers the public international law aspects of the law of the sea and the Antarctic, with a particular emphasis on fisheries law. The unit examines both soft and hard law international instruments and the practical realities of attaining compliance with this legal regime. Specific studies will include the 1982 United Nations Law of the Sea Convention, the 1993 FAO Compliance Agreement, the 1995 UN Fish Stocks Agreement, the 1995 FAO Code of Conduct for Responsible Fisheries and its 4 International Plans of Action, the 2009 FAO Agreement on Port State Measures, the Antarctic Treaty, the Madrid Protocol, and the Convention for the Conservation of Antarctic Marine Living Resources. The course will include specialist guest lecturers.

About the Lecturer: Dr. Gail Lugten is a graduate of the University of Tasmania, and has been an academic at the UTas Law School from 2001-2011. She is an international lawyer specialising in the law of the sea, with particular emphasis on global fisheries law. She has published extensively in texts and international marine journals and she has been the recipient of Australian Research Council grant funding. She has been a legal consultant and guest lecturer to various international organisations including the United Nations Food and Agriculture Organization (UNFAO), the WorldFish Center, the International Union for the Conservation of Nature (IUCN), Chatham House, and the International Tribunal for the Law of the Sea (ITLOS). Dr. Lugten is currently employed as Fisheries Liaison Officer with the UNFAO in Rome. She is also the Secretary of the Regional Fishery Body Secretariats' Network.



Law of Oceans and Antarctic timetable for the 2013 Summer School:

This unit will be taught from 10.00am-1.00pm, Monday to Friday over the two week period. Further details will be given in the opening lecture on February 4, 2013.

* Important Information Regarding Enrolment in Summer School Units

1. University of Tasmania Law students are only allowed to undertake Summer School Units once they have passed the following compulsory units – LAW221 Contract Law A, LAW222 Contract Law B, LAW223 Torts A, LAW224 Torts B, LAW225 Criminal Law A, LAW226 Criminal Law B, LAW 204 Administrative Law and LAW 205 Constitutional Law 1 or their equivalent.
2. Students are allowed to undertake a maximum of one summer school unit from the options commencing in the first week of January 2013 and one unit from the options commencing in late January/early February 2013. ie. students are only permitted to study one unit at a time.
3. Students should particularly note that although each of the summer school units runs for three weeks there will be assessment tasks outside of the three-week period. As such, students should plan to be available to undertake assessment tasks for at least ten days after each of the formal summer school sessions have been completed.
4. Students from another institution wishing to complete Summer School units need to complete the form *Application for a student from another institution to enroll at UTas*, which can be downloaded from:

http://www.studentcentre.utas.edu.au/enrolments/forms_files/

These applications should be lodged at the University's Student Centre as detailed on the form.

Contact information:

For any queries in relation to any of these units, please contact Mr Lynden Griggs, Deputy Head of School, Faculty of Law, University of Tasmania on +61 3 6226 7573 or Lynden.Griggs@utas.edu.au

Enrolment information please contact Kira White, Faculty Executive Officer, Faculty of Law, University of Tasmania on +61 3 6226 7510 or Kira.White@utas.edu.au