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Law School

Partnering for Impact



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The UQ Law School is also known as the TC Beirne School of Law after a bequest in 1936 from leading Brisbane businessman Thomas Charles Beirne.

Research with impact

Finding solutions to the issues important to you and your organisation often requires an understanding of the law and the ability to influence law-making.

Together, with the expertise of our researchers, we can address a wide range of social, economic and environmental challenges – from local Queensland issues to complex global problems.

We work collaboratively and effectively with all kinds of entities – government agencies, businesses, firms and not-for-profit organisations – to engage critically with developments in the law and seek to make an informed contribution to policy and law reform.

The University of Queensland Law School is nationally and internationally recognised for the quality and impact of its research. Our expertise spans a wide range of legal areas, notably including criminal justice, national security and defence, intellectual property, corporate governance, marine environment, and shipping.

Find out more about partnering with us at law.uq.edu.au/research/partner

The researchers helping shape the laws of autonomous military technology

Associate Professor Rain Liivoja



Only 50 years ago, the laws of war were set by a small group of lawyers in government and the military.

Now, non-military experts have a seat in the war room, monitoring activity, predicting trends and actively shaping the legal framework around armed conflict.

UQ Law School Deputy Dean of Research, **Associate Professor Rain Liivoja**, is one such non-military expert, lending his legal knowledge to military and defence personnel in Australia and abroad.

“Today, every single discussion about arms control draws on the active participation of NGOs (non-government organisations) as well as think tanks, research groups and universities. The range of people involved in these conversations has broadened – which is a good thing,” he says.

“We need as a country to invest in our defence technology. Australia has an enormous land mass and even more by way of maritime approaches to monitor, patrol and defend with an armed force that’s relatively small, but also relatively technologically advanced.”

Dr Liivoja is a Senior Fellow with the Lieber Institute for Law and Land Warfare at the United States Military Academy at West Point.

He also leads UQ’s **Law and the Future of War research group**, which focuses on the legality of autonomous military technology – such as driverless vehicles and uncrewed aircraft.

His research group collaborates with the **Trusted Autonomous Systems Defence Cooperative Research Centre (TASDCRC)** and regularly engages with the Department of Defence and the Attorney-General’s Department, as well as the Department of Foreign Affairs and Trade, where he has been appointed as a Visiting Legal Fellow.

“TASDCRC focuses on trusted autonomous systems and supports industry-led development of useful gadgets for Defence, from aircraft or vessels that can navigate autonomously to the pointy end of weapons systems that can operate without a real-time human trigger-puller,” he says.

“In order to ‘trust’ these autonomous systems, and to trust Defence with this technology, we help TASDCRC comply with certain legal and ethical standards and ensure they operate within the legal framework Australia has signed up to and is likely to sign up to in the future.”

In addition to training, consulting and collaborating with Australian decision-makers, Dr Liivoja travels to the United Nations’ Geneva headquarters twice annually to workshop international legal frameworks for autonomous weapons.

He says the Ukraine-Russia conflict highlights a growing international concern with legal ramifications that could reverberate globally.

“The technology that armed forces use is becoming cheaper and more accessible. Ukrainian forces have demonstrated they are adept at taking off-the-shelf civilian technology – say, a drone you could buy at JB Hi-Fi – and modifying it for military ends.

“Much of the technology is becoming dual-use and can be used for civilian or military purposes. This trend is problematic. It’s at odds with the previous notion that military tech is complex and expensive and, therefore, easily monitored. Not so. This issue presents a new legal landscape to navigate.”

 **Find out how you can partner with experts like Rain and the Law and the Future of War team. research@law.uq.edu.au**

From blue carbon to coastal ecosystems – the important legal balancing act

Associate Professor Justine Bell-James



For a legal expert with no formal scientific training, Justine Bell-James is certainly at ease discussing the intricacies of climate science.

“A big part of my work is looking at what my science colleagues think should be done for climate change and helping them navigate the legal hurdles – it’s been a learning curve over the years,” says **Associate Professor Bell-James**, who is also an affiliated researcher with UQ’s **Centre for Biodiversity and Conservation Science**.

The major focus of Dr Bell-James’s research is protecting Australia’s natural coastal ecosystems from climate change, which is a delicate and important balancing act.

She has undertaken impactful work through the **UQ Law School** in partnership with global environmental organisation The Nature Conservancy to find a legal balance between the long-term need to safeguard and leave space for coastal wetlands, and immediate land use.

“Wetlands like to exist at a very particular part of the coast – the intertidal zone, which is sometimes wet, sometimes dry. As sea levels rise, they can potentially migrate inland to keep pace and remain in the intertidal zone,” Dr Bell-James says.

“To do this, their root systems need space to extend inland, but if structures or land use prevent this, migration can’t happen, and the ecosystems are lost.

“I’ve worked with The Nature Conservancy to design a flexible legal approach to balance farmers and property owners using the land in the short term but adapting their land use over the medium to long term to help wetlands migrate inland.”

The Australian Government’s Clean Energy Regulator also tapped into her skillset, engaging the legal expert to help develop a methodology for including blue carbon – the carbon stored within coastal ecosystems – as an eligible offset project.

“Marine ecosystems like mangroves and saltmarsh occupy a contested legal area between public and private ownership. My work centred on identifying and removing legal barriers to not only preserving and restoring them but accessing carbon credits for doing so,” she says.

“Blue carbon was finally approved as part of Australia’s climate change framework in January 2022, so people can now apply for accreditation for some coastal wetland restoration projects – and ultimately obtain carbon credits.”

The urgent and holistic nature of Dr Bell-James’s work sees her contribute to interdisciplinary research projects and collaborate with colleagues from science, industry, NGOs, government and legal practice.

Most recently, her work caught the eye of the CSIRO and the Great Barrier Reef Foundation, with both organisations engaging her on blue carbon initiatives.

The legal expert is also translating her research into real-world applications as an adviser to the Whitsundays Regional Council’s Climate Change Innovation Hub and the Victorian Marine and Coastal Council.

“One of the most satisfying things in the area I work in is to see the direct impact my research has on policy and decision-making.

“Seeing my research translated into practice makes my job really exciting and meaningful.”

 **Find out how you can partner with experts like Justine to work towards a sustainable Australia. research@law.uq.edu.au**

The intellectual property law expert collaborating to combat food scarcity

Professor Brad Sherman



Give a person bread, and you feed them for a day. Navigate intellectual property law to grant them easy access to seed, grain and genetic material to grow crops, and you feed them for a lifetime.

Professor Brad Sherman is a secret ingredient in the global food chain.

The internationally revered researcher applies his legal expertise to projects that use intellectual property law to improve agricultural productivity and food security.

Intellectual property drives all stages of the food chain: from patenting genetic material and seeds to transporting, marketing and consuming goods, all while navigating different regulatory regimes.

“Over the past 20 years, there have been a number of changes to the rules that govern access to plants and genetic resources,” Professor Sherman says, singling out the 1993 Convention on Biological Diversity (CBD) and subsequent Nagoya Protocol in 2010.

Both aim to conserve biological diversity, ensure sustainability and share any benefits, but there is global inconsistency across their interpretation and adoption.

“These international legal arrangements have been poorly implemented in Australia and elsewhere. They’re negatively impacting people’s ability to access the genetic material that’s needed for breeding new crops that are

essential for dealing with climate change, a growing population and changing land use,” he says.

“In trying to develop a solution to this problem, I’m working with other researchers, universities, Australian botanic gardens and seed banks across Australia to help provide better access to genetic material for food growers and agribusiness.”

Professor Sherman is tackling the problem in two stages – the first with a domestic focus and the second in collaboration with the **Global Plant Council** and **DivSeek International Network**, which comprises plant breeders, scientists and academics, as well as other organisations around the world to develop a global approach.

“My focus is still solving the Australian leg of this problem, but these international partnerships are going to be crucial for the next stage, absolutely essential.”


Nationally, Professor Sherman was awarded a prestigious Australian Research Council (ARC) Laureate Fellowship in 2015 to spearhead Harnessing Intellectual Property to Build Food Security. The project uses intellectual property protection to improve food production and security in Australia and the Asia Pacific.

His collaborative relationships also led to his appointment as Lead Chief Investigator for

two ARC Centres of Excellence: **Plant Success in Nature and Agriculture**, based at UQ, and Synthetic Biology, administered through Macquarie University.

“I’m privileged to partner with researchers, government and industry across the world, including several US museums, to help ensure ongoing access to historical plant collections. It’s vital that researchers connect internationally to knowledge-share and collaborate,” he says.

For the past decade, Professor Sherman has also served as Australia’s representative to the **United Nations’ Food and Agriculture Organisation (FAO)**.

 Find out how you can work with experts like Brad to address global food security.
research@law.uq.edu.au

The partnership helping rural Queensland survive climate extremes

Dr Thea Voogt



Dr Thea Voogt is leading a pilot study to discover the best ways to structure family businesses in Queensland’s drought-affected regions to ensure they not only survive, but thrive.

Her research aims to benefit many farmers and small business owners in Central West Queensland – an area that has about 10,000 people but covers 23 per cent of Queensland’s land mass.

The vital work is a collaboration between the **UQ Law School**, the **Remote Area Planning and Development Board (RAPAD)**, and the **Rural Financial Counselling Service North Queensland**.

Dr Voogt is investigating how local farms and town businesses are structured in Queensland’s so-called ‘RAPAD region’ (comprising the local government areas of Barcaldine, Barcoo, Blackall-Tambo, Boulia, Diamantina, Longreach and Winton).

Drought has hit the region hard – some areas have gone without significant rainfall since 2013.

Her aim is to understand the unique challenges these businesses face and to develop policy solutions and cashflow optimisation strategies to support their long-term viability.

RAPAD CEO David Arnold believes the research Dr Voogt is conducting is vital to understanding the challenges of family businesses in remote areas and the steps needed for survival.

“Small businesses, whether agricultural or town-based, are the lifeblood of rural communities,” Mr Arnold says.

“At a time of significant natural disasters such as we are experiencing now, never has the need for support for these businesses, and our communities, been greater.”

“Thea’s research combined with our monitoring and evaluation of agriculture performance at a farm level across the region has allowed us to more critically assess our inputs and client outcomes.”

Dr Voogt says that while government schemes and tax allowances are available to support primary producers, little is known about the interaction between these and how these policy instruments help farm families and farm businesses to be self-reliant.

It’s estimated that 70 per cent of all businesses in Australia are family businesses, although there’s a distinct lack of data about what a family firm actually is and how they’re structured for tax purposes.


The structure adopted for these businesses, however, is vitally important.

Dr Voogt says family firms often select a business structure without knowing the long-term effects, benefits and challenges it will bring.

“Tax policy uncertainty and ongoing tax changes make it difficult for family firms to plan ahead.”

In the pilot study, Dr Voogt is working with primary producers, small business owners and community leaders to determine how businesses in the RAPAD region are currently structured, taking into account the unique features of the area.

Mr Arnold believes the UQ researcher’s input is a game changer. “In particular, Thea’s work on Farm Management Deposits is ground-breaking and should be welcomed by policymakers as they continue to inform and advise government,” he says.

 Find out how you can partner with experts like Thea to tackle local challenges in Queensland.
research@law.uq.edu.au

Athlete, advocate and academic: an international legal force to be reckoned with

Associate Professor Paul Harpur



Overcoming barriers to education and employment for people with physical and mental disabilities? Associate Professor Paul Harpur wrote the book on it.

Dr Harpur, an ARC Future Fellow at the **UQ Law School** who is also legally blind, authored a book exposing the hurdles faced by people with disabilities such as blindness, dyslexia and quadriplegia to read printed content, inspired by his own experiences.

“As a high school student all the way through to my PhD, I found my limited access incredibly frustrating and disabling,” he says.

“E-books weren’t available, so I had to scan books myself or ask other people to read them for me. Usually, I could only access the books I needed weeks after everyone else and had to scramble to catch up.

“I beat the odds and completed my undergraduate and master’s degrees in law before undertaking a Doctor of Philosophy. I was a good lawyer, but I felt a calling to make a difference in disability rights as a law academic.”

His strong international reputation as a leader in the global fight for legal disability rights led to collaborations with prestigious organisations and institutions, including the United Nations, Harvard Law School Project on Disability and

the Australian Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

His research spans the disciplines of business, law and psychology, where he uses his impressive international network to connect researchers with collaborators and partners locally and abroad, including from Canada, Ireland, the UK and the US.

In 2019, Dr Harpur was awarded a prestigious Fulbright Future Scholarship, which included a three-month project working between Harvard Law School and the Burton Blatt Institute at Syracuse University in the US.

“My project was intended to collect data and build relationships between Australian and US advocates and researchers involved with the development and promotion of design that’s accessible to everyone in society, whether they be able or disabled,” he says.

“An architect who uses a wheelchair, for example, is unlikely to design a product without advocating for wheelchair access.”

Named Link Vision’s 2022 Blind Australian of the Year, Dr Harpur partnered with the organisation on a grant application and is undertaking research for the National Disability Insurance Quality and Control Commission and the UN’s International Labour Organisation.

Tenacity and talent saw the former professional athlete and two-time Paralympian receive

a highly competitive, four-year Australian Research Council (ARC) Future Fellowship to investigate how the higher education sector can better support people with disabilities to transition from economic exclusion to work.

“We’ve looked closely at the challenges people with disabilities face when transitioning from university to the workforce,” he says.

“There’s a big gap where we’re seeing more people with disabilities entering and graduating from university but not being able to find work.

“Universities educate the disability champions of tomorrow, employ the disability leaders of today and produce research and innovation that can transform societies.”



Find out how you can partner with experts like Paul to create a more inclusive society.
research@law.uq.edu.au

The law expert striving to remedy the youth justice and child protection systems

Professor Tamara Walsh



It’s not uncommon for disadvantaged children, including children in out-of-home care, to commit crimes of necessity to survive. However, if their offending persists or escalates, these children can end up in youth detention facilities across Australia.

Professor Tamara Walsh is very familiar with the “vicious and dangerous cycle” perpetuated by the youth justice and child protection systems.

“In many ways, the child protection system is creating a youth justice problem instead of fixing it. Children who should be protected find themselves ensnared in the criminal law system,” Professor Walsh says.

Through her work, the **UQ Law School** researcher seeks to right these wrongs.

In one study conducted in partnership with several not-for-profit organisations and government agencies, she examined the legal responses to vulnerable children and young people who ‘cross over’ between the child protection and youth justice systems.

Drawing on extensive contacts from her work in the community, she interviewed youth workers, social workers and lawyers about their experiences dealing with young offenders.

“My research revealed a high level of overlap between children in youth detention and children who are placed in residential care facilities in the community,” Professor Walsh says.

“Unsurprisingly, many participants said that children in residential care may act out because of the trauma they have experienced or because they have psychological, cognitive or behavioural disabilities.

“Youth workers in residential care homes may not be trained to deal with high levels of distress, anger or symptoms of mental illness among children in their care.”

“Often, they call the police because they don’t know how to manage children’s behaviour, and this can result in the children being charged with offences.”

Governments around Australia are considering proposals to raise the age of criminal responsibility from 10 to 12 years.

Professor Walsh believes we should raise the age of criminal responsibility to 14 years and that this shift should be accompanied by more welfare opportunities to divert children from the system altogether – by referring them to therapy and programs instead of charging them with offences.

Her research with UQ’s Associate Professor Robin Fitzgerald and several UQ law student researchers has focused on alternatives to criminalising children, such as providing holistic family therapy, ‘on country’ programs, and re-engaging children in education, training and employment.

Research assistant and final-year law student Lucy Cornwell says their research highlights the inadequacies of the current system.

“We show that other jurisdictions – for instance, in the UK and the US – have used alternatives to criminalisation that have been proven effective,” Ms Cornwell says.

In 2008, Professor Walsh established the **UQ Pro Bono Centre**, which connects law students with legal professionals to help society’s most vulnerable and disadvantaged groups.



Find out how you can partner with experts like Tamara and the UQ Pro Bono Centre to support those in need.
research@law.uq.edu.au

Partner with us

The UQ Law School is committed to ensuring our research partnerships have impact for the benefit of society. Partnering with our researchers can take place through a variety of channels, including consultancy, collaborative research and student projects.

Collaborate

- Engage UQ law academics to apply their knowledge and expertise to address the needs of your organisation or community.
- Join forces with UQ law academics to make an informed contribution to policy and law reform.
- Work with UQ law academics to propose legal responses to complex social challenges.
- Partner with UQ law academics on research grants.

Student projects

- Harness some of the brightest talent in Australia by engaging a Higher Degree by Research (HDR) student on a project. Whether you require a review of current legal research or testing viability of a new approach, our candidates are guided by academics of international calibre to help you take the next step.

Sponsor

- Research Chairs and projects
- PhD scholarships
- Research facilities and infrastructure
- Stakeholder engagement and outreach events.

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Find out more about the benefits of partnering with the UQ Law School.




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