

# July Newsletter 2026



THE UNIVERSITY OF  
MELBOURNE

Melbourne Centre  
for Law and the  
Environment



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# Director's Report



Dear all,

It is a pleasure to share a snapshot of a busy first half of 2026 for the Melbourne Centre for Law and the Environment.

Our research calendar started at pace with the 12th Frontiers in Environmental Law Colloquium (4–6 February), where we heard a rich set of diverse insights from the 81 presentations from academics and practitioners across Australia, and further afield, on whether “all law is environmental law”. Many thanks to our co-hosts and collaborators, Monash University Faculty of Law and Faculty of Business & Economics, and the National Environmental Law Association. Across the programme, it was particularly great to see dialogue across legal fields, linking environment-related themes in areas of business law, consumer law and criminal law. The Book Launch Symposium celebrated two major open access works on climate mobility and cumulative environmental harm, respectively. Our seminar series has hosted talks on novel legal concepts for climate protection and on UNIDROIT’s role in harmonising law for sustainable development.

Internally, our research sharing meetings have sustained collegial exchanges — from reforms to the Commonwealth’s *Environment Protection and Biodiversity Conservation Act 1999* to embedding sustainability in the JD curriculum. Congratulations to members whose scholarship and media engagement have influenced public and policy conversations this year.

Thank you to all who organised events, presented research, and contributed to our growing series of [policy briefs](#). I encourage members and students to engage with our programmes and to connect with colleagues on emerging collaborations. This year we celebrate the 40-year anniversary of the Melbourne Centre for Law and the Environment, established in 1986 as the Centre for Natural Resources Law. We now grapple with problems that hardly existed on the agenda then — carbon offsets, ocean plastic pollution and climate-driven disaster law — even as familiar issues such as deforestation and weak regulatory enforcement persist. Our work remains as vital as ever.

Bec Nelson



# Centre Update

A selection of research outputs by Centre members

## Director

**Rebecca Nelson**

### Article

Nelson, Rebecca, Debra Perrone and Nicola Ulibarri, '[Groundwater Sustainability, Drinking Water and Environmental Justice in California's Central Valley](#)' (2026) *Hydrogeology Journal* 1

### Submission

Nelson, Rebecca, Hossain Mohammad Reza, Erin O'Donnell, Roanna McClelland and Lee Godden, *Submission to the Productivity Commission's National Water Reform 2026 Inquiry* (28 April 2026)

## Deputy Directors

**Erin O'Donnell**

### Book

Kennedy, Melissa and Erin O'Donnell (eds), [People, Place and Nature in Indigenous-Settler Relations: Recentering the More Than Human World](#) (Springer, 2026)

### Book Chapter

O'Donnell, Erin and Julian Suarez, '[REVISITING: Rivers Should Have Legal Rights](#)' in Francois Molle and Sylvain Baron (eds) *Best Practices in Global Water Policy: Revisiting Water Mantras* (Routledge, 2026) 244

### Article

Jackson, Sue, Erin O'Donnell and Matthew Currell, '[River Grabbing from the Source: Groundwater Extraction and the Self-Perpetuating Colonial Practices of Dispossession in Australia's Northern Territory](#)' (2026) 124 *Political Geography*

### Media Engagement

Dr Erin O'Donnell was quoted in the article, 'Desalination Plant: Public servants warned dam spills were political risk to Labor before state election', in the [Sydney Morning Herald](#).

Dr Erin O'Donnell said it was "extremely unfortunate" that political implications were highlighted by South East Water, in [The Age](#).

Dr Erin O'Donnell's research on knowledge systems and river management was mentioned by US based [Lake Powell Chronicle](#), in regards to the Colorado River Indian Tribes' vote to grant legal personhood to the Colorado River.

## Christine Parker

### Articles

Coghlan, Simon and Christine Parker, '[Beyond "Basic" AI-Animal Alignment](#)' (2026) 39(1) *Philosophy & Technology*

Coghlan, Simon, Christine Parker and Reeva Lederman, '[AI Ethics Guidelines: Time to Include Animals](#)' (2026) 32(1) *Science and Engineering Ethics*

Stirling, Madeleine, Christine Parker and Daniel Angus, '[Australia may ban infant formula advertising. Here's what the online ads actually say](#)' (*The Conversation*, 12 March 2026)

### Media Engagement

Professor Christine Parker said in [The Guardian](#) that there is increasing recognition of animal sentience among scientists and the public, reflected in laws in New Zealand, the UK and European countries.

## Centre Members

### Olivia Barr

#### Articles

Barr, Olivia, 'A Matter of Precedent: Are All Questions of First Nations Sovereignty Really Non-Justiciable in Australian Courts?' (2026) 49(1) *University of New South Wales Law Journal* 62

Barr, Olivia, '[I rediscovered a forgotten legal rule. It could transform Indigenous rights in Australia](#)' (*The Conversation*, 23 April 2026)

#### Media Engagement

Associate Professor Olivia Barr's latest research on Indigenous sovereignty and the High Court was picked up across more than 200 regional and metro news and broadcast outlets including *AAP*, *NITV*, *SBS*, and the [Daily Mail](#).

New research has found that the issue of Aboriginal sovereignty can be heard by the High Court. Could this be the next *Mabo*? Associate Professor Olivia Barr explained in [JUSTICE with Jon Faine](#).

### Astrid Bernal Rubio

#### Article

Bernal Rubio, Astrid and Bruce Lindsay, '[Ramsar as a Living Instrument: What the Gippsland Lakes Ramsar Site Reveals About Treaty Interpretation](#)' (*ANZSIL Perspective*, 2 June 2026).

## Lee Godden

### Submission

Nelson, Rebecca, Hossain Mohammad Reza, Erin O'Donnell, Roanna McClelland and Lee Godden, *Submission to the Productivity Commission's National Water Reform 2026 Inquiry* (28 April 2026)

## Ellycia Harrould-Kolieb

### Presentation

Harrould-Kolieb, Ellycia (speaker), '[Insights on Emerging Ocean Technologies and Governance Gaps - SDG Media Zone | United Nations](#)' (YouTube, 26 April 2026)

## Liz Hicks

### Encyclopaedia Entry

Bönnemann, Maxim and Liz Hicks, '[Climate Change](#)', in Rainer Grote, Frauke Lachenmann, Rüdiger Wolfrum, *Max Planck Encyclopedia of Comparative Constitutional Law* (April 2026)

## Ishrat Jahan

### Article

Jahan, Ishrat, '[Intersection of the Legal Personhood of Rivers and the Law of the Sea in the Context of Bangladesh](#)' (2026) *Asia-Pacific Journal of Ocean Law and Policy* 1

## Lauren Nishimura

### Article

Nishimura, Lauren, '[Reparations and Adaptation Obligations: Alternative Approaches to Climate Change and Migration](#)', (2026) 50(1) *Alternative Law Journal*

## Lily O'Neill

### Media Engagement

Dr Lily O'Neill's 'Climate Kids' was featured in an [ABC News](#) article as part of Professor Elisa Morgera's visit to children at Bright P12 College.

## Sundhya Pahuja

### Book Chapter

Jamil, Haris, Richard Joyce and Sundhya Pahuja, '[Populism and Trans-National Solidarity](#)' in Eleni Karageorgiou and Gregor Noll (eds) *The Question of Solidarity in Law and Politics* (Cambridge University Press, 2026) 178

## Jacqueline Peel

### Article

Peel, Jacqueline, '[Situating the ICJ's Advisory Opinion in the Wider Ecosystem of International Climate Litigation](#)' (2026) *Review of European, Comparative and International Environmental Law (RECIEL)*

### Report

Peel, Jacqueline, 'A Corporate Accountability Turn in International Climate Litigation' (Report, 2026)

### Media Engagement

Professor Jackie Peel said Markovic's detailed findings have "potential contradictions", leaving the environmental activists with an avenue for appeal should they so choose in the [Australian Financial Review](#).

Professor Jackie Peel says a major trend is the increasing emphasis on corporate accountability in the [University of Auckland News](#).

## Miranda Stewart

### Media Engagement

Professor Miranda Stewart added comment to a column in the [Sydney Morning Herald](#) on income splitting.

Professor Miranda Stewart was mentioned in the article 'Trust distributions may be taxed more in Treasury quest for revenue' in the [Australian Financial Review](#).

[NewsCorp papers](#) quoted Professor Miranda Stewart's recommendations for withholding tax on trust rights and trust distributions.

"Discretionary trusts have a long history in Australia, but their use as a tax minimisation tool has exploded, and we are an outlier globally in permitting such extensive use of trust structures," says Professor Miranda Stewart in [AFR](#).

The [Australian Financial Review](#) quoted Miranda Stewart regarding proposed tax changes.

Professor Miranda Stewart was quoted in *The Conversation* article, '[Family and business trusts could soon have to pay more tax – with a few likely exceptions](#)'.

The [Australian Financial Review](#) highlighted Professor Miranda Stewart's research on the taxation of working mothers.

## Lael Weis

### Book Chapter

Weis, Lael, '[Greening Democratic Constitutionalism](#)' in Tomás Daly & Anna Dziedzic, eds, *Research Handbook on Constitutions and Democracies* (Edward Elgar, 2026)

### Parliamentary Submission

Evidence to [Review of the Electric Vehicles \(Revenue Arrangements\) Act 2021 \(NSW\)](#), Parliament of New South Wales, Sydney, 17 June 2026, 3 (Lael K Weis)

## Margaret Young

### Article

Young, Margaret and Astrid Schomaker, '[The ICJ Advisory Opinion on Climate Change: What It Means for the Convention on Biological Diversity](#)' (*EJIL: TALK!*, 22 May 2026)

# MCLE Member Acknowledgements

## Welcome Dr Sam Bookman



We are pleased to welcome Dr Sam Bookman. Sam joined Melbourne Law School as a Lecturer in January. His research focuses on constitutional design, climate litigation, social movements, and environmental human and nonhuman rights. He completed an SJD at Harvard University and

has previously held teaching or research appointments at Harvard's Project on the Foundations of Private Law, Pace Law School, NYU, Boston College, and the University of Melbourne. Sam's scholarship has been published in leading journals including *Environmental Law*, the *Utah Law Review*, the *German Law Journal*, and the *Oxford Journal of Legal Studies*. This year Sam is teaching Torts and Constitutional Law in the JD. He has previously taught in the Melbourne Law Masters.

## Farewell Dr Brad Jessup



We will deeply miss Dr Brad Jessup, MCLE Deputy Director (Environmental Justice and Sustainability), who will be taking up an academic role at Monash University. Brad's teaching and research at Melbourne Law School have been pioneering – from the Sustainability Business Clinic to

working with communities on environmental justice. Thank you, Brad, for your collegiality, care, intellectual generosity and general brilliance over these past years. We are very much looking forward to welcoming you back, frequently, while also congratulating you and wishing you (very) well on an exciting new chapter.

## Farewell Roanna McClelland



We congratulate Roanna McClelland, ARC Laureate Research Fellow, and soon to be formally awarded her PhD in law. Her doctoral research at Melbourne Law School focused on emerging transnational rights-based approaches to water, climate and the environment. Roanna


has been an enthusiastic colleague and contributor to MCLE throughout her candidature and afterwards, and an inspirational novelist (*The Comforting Weight of Water*, Wakefield Press, 2023). Congratulations, Roanna on your next step. We look forward to seeing you around the Law School in other capacities in the future.



# Policy Briefs

MCLE members contribute to policy briefs on a wide range of topics. Recent policy brief topics include environmental offsets; the impact of the clean energy industry on Traditional Owner communities; the implications of the ICJ Climate Advisory opinion in Australia; the implications of climate disasters for home loans and home insurance; and ocean acidification. View our policy briefs [here](#).

- Professor Rebecca Nelson, '[Offset: Problems and possibilities in environmental policy](#)'
- Dr Lily O'Neill and Dr Kathryn Thorburn, '[Trending Up: How clean energy agreementmaking in Australia is raising the bar on benefit and co-ownership arrangements for Australian Traditional Owners](#)'
- Roanna McClelland, Professor Jacqueline Peel, Professor Rebecca Nelson and Professor Margaret Young, '[What are the implications of the ICJ Climate Advisory Opinion for EIA in Australia?](#)'
- Professor Rebecca Nelson, '[Regulating a Thousand Cuts for Researchers, Regulators and Policy Makers](#)'
- Michelle Smith, '[Managing Bank Exposure to Climate-Driven Credit Risk](#)'
- Dr Ellycia Harrould-Kolieb et al, '[Ocean Acidification and Food Security](#)'



# 12<sup>th</sup> Frontiers in Environmental Law Colloquium

## Is all law environmental law?

***Co-hosted with the Faculty of Law and Faculty of Business and Economics (Monash University), in association with the National Environmental Law Association***

**4 - 6 February 2026**

The annual Frontiers in Environmental Law Colloquium provided a forum for environmental law academics and practitioners to share and discuss their experiences, research, and teaching practices. We aimed to:

- Foster a supportive and inclusive network of like-minded individuals;
- Explore innovative environmental law ideas and insights within and beyond our discipline;
- Contribute meaningfully to the future of environmental law in our region;
- Share approaches to teaching and learning in environmental law; and
- Assist environmental law academics to actively build their careers.

As the global climate and biodiversity crises worsen, and as human activities continue to overstep planetary boundaries, the project of environmental law and environmental lawyers is also expanding. Continued attention to strengthening, implementing and enforcing

the core body of environmental laws - which directly address climate change, biodiversity loss, resource extraction, pollution and other issues - remains critical. But alongside these efforts, we see increasing attention being given to the integration of environmental considerations - particularly climate change - into other recognised bodies of law such as company law, consumer law, human rights law, property law and constitutional law. This integration takes shape through strategic litigation, creative lawyering, environmental advocacy, and law and policy reform.

In 2026, Colloquium participants were invited to reflect on this expansion of the project of environmental law and its implications - Is all law environmental law? We explored recent developments and new directions within environmental law, but also the integration and mainstreaming of environmental considerations into other areas of law and the potential for these developments to shift behaviours and constrain human activities in line with planetary boundaries.

To ground our discussions, we urged participants to engage closely with ongoing developments in environmental policy and practice in Australia and in our region. To this end, in addition to academic presentations, the Colloquium included targeted keynotes and panel discussions designed to:

- bring together legal academics with policy makers, practitioners and other disciplinary experts working in key reform areas such as biodiversity conservation and circular economy; and
- strengthen networks and collaboration between environmental law academics in the Pacific, Aotearoa New Zealand and Australia.



# Research Seminars and Sharing Sessions

## Book Launch Symposium

4 February 2026

This symposium marked the launch of two major new books that tackle some of the most pressing challenges in environmental and climate law: climate-related human mobility and cumulative environmental harm. The event explored how law can move beyond reactive responses toward proactive, coordinated frameworks that anticipate risk, protect human rights, and address slow-burn environmental degradation at multiple scales, reaching across multiple legal fields. We were pleased to celebrate the launch of:

- [Lauren Sakae Nishimura, \*Climate Change, Human Rights, and Adaptive Mobility\*](#) (Oxford University Press, 2025) (open access)
- [Rebecca L Nelson, \*Regulating a Thousand Cuts: Global Law and Policy Solutions to Cumulative Environmental Problems\*](#) (Cambridge University Press, 2025) (open access)

Professor Rebecca Nelson and Dr Lauren Nishimura were joined in conversation by Tamara Wood (La Trobe University) and Professor Cameron Holley (UNSW). Melbourne Law School's Dean, Professor Michelle Foster, opened and chaired the event. Watch the recording [here](#).

## Climate Protection as a Driver for the Development of New Legal Concepts

*Co-hosted with the Institute for International Law  
and the Humanities (IILAH)*

11 March 2026

This seminar was presented by Professor Angela Schwerdtfeger (Free University Berlin) and chaired by Professor Margaret Young.

Climate change presents unique factual and legal challenges. Although insights from environmental law are often used to resolve legal issues around climate change, this approach has its limitations. The German Federal Constitutional Court and the European Court of Human Rights have therefore developed new legal concepts to address the challenge of enforcing necessary climate protection measures against states: the intertemporal protection of fundamental rights and altruistic human rights complaints. In this talk, Angela Schwerdtfeger introduced and compared these concepts, exploring whether they are limited to climate protection or could be applied to other areas of law. Watch the recording [here](#).

# International Legal Harmonisation and Sustainable Development: The role of UNIDROIT

*Co-hosted with the Melbourne Centre for Commercial Law (MCCL)*

**16 March 2026**

The Melbourne Centre for Commercial Law and the Melbourne Centre for Law and the Environment were pleased to welcome the Secretary-General and Deputy Secretary-General of the International Institute for the Unification of Private Law (UNIDROIT) to Melbourne to deliver a guest seminar on the role of UNIDROIT in developing harmonised legal frameworks that promote sustainable development.

The seminar introduced participants to UNIDROIT's history and mandate with a focus on projects aimed at sustainable development, such as the ongoing work on verified carbon credits, agricultural law, and corporate supply contracts due diligence. The seminar also discussed how economic development and sustainability considerations affect all of UNIDROIT's work, including perspectives from legal experts that have represented Australia and Japan during international negotiations at UNIDROIT. Finally, participants had an opportunity to learn from the manager of UNIDROIT's research programme about how to engage with the work of UNIDROIT, including through research scholarships and legal internships.

UNIDROIT is an intergovernmental organisation whose objective is to harmonise private international law across countries through uniform rules, international conventions, and the production of model laws, sets of principles, guides and guidelines. Established in 1926 as part of the League of Nations, it was reestablished in 1940 following the League's dissolution through a multilateral agreement. Based in Rome, Italy, UNIDROIT has 65 member states representing 90% of global nominal GDP and 75% of the world's population.

Speakers included:

- Professor Ignacio Tirado, Secretary-General of UNIDROIT
- Professor Anna Veneziano, Deputy Secretary-General of UNIDROIT
- Bruce Whittaker, Honorary Senior Fellow at Melbourne Law School
- Professor Megumi Hara, Chuo University School of Law
- William Brydie-Watson, Senior Legal Officer at UNIDROIT
- Professor Andrew Godwin, Melbourne Law School (Chair)

Watch the recording [here](#).

*A selection of photos from recent events*



# MCLE

## Research Sharing Sessions

*MCLE hosts regular internal research sharing sessions for its members and Graduate Researchers. These are informal lunch events with the aim to facilitate discussion and information sharing amongst Centre members and Graduate Researchers.*

### 31 March 2026

We started the year with a meeting to welcome new and returning members, debrief on the success of the Frontiers in Environmental Law Colloquium and brainstorm ideas for the coming year.

### 23 April 2026

#### **Reforms to the EPBC Act with Brendan Sydes, National Biodiversity Policy Officer at the Australian Conservation Foundation**

Extensive reforms to the Environment Protection and Biodiversity Conservation Act 1999 (Cth) passed the Australian Parliament in late 2025 after several years of delay and controversy. How did we get there, what's changed, and what will stay the same? With the roll out of the reforms now underway, what are the prospects that the reforms will lead to a transformation of environmental regulation in Australia?

Brendan Sydes is an MLS Senior Fellow, co-teaching with Lee Godden and Alice Palmer in MLM subjects, and the National Biodiversity Policy Officer at the Australian Conservation Foundation where he has been contributing to the process of reforms to the EPBC Act. He was previously a principal lawyer and founding CEO of Environmental Justice Australia, a non-profit legal practice dedicated to environmental protection.

### 14 May 2026

#### **Sustainability Initiatives and Opportunities at MLS**

In this session, we discussed sustainability initiatives in education at MLS and opportunities for MCLE members to get involved in a new project that seeks to embed sustainability learning within the core compulsory JD curriculum, drawing on a successful example in the Faculty of Engineering and Information Technology.

Dr Sarah Webber from the School of Computing and Information Systems joined us to give a presentation on teaching resources that she has developed for Faculty of Engineering and Information Technology (FEIT) students, which support basic sustainability knowledge, concepts and problem-based learning.

Associate Professor Lulu Weis (Director of Sustainability) provided a short overview of the University's education targets in the Sustainability Plan 2030 and current priorities.

### 11 June 2026

Dr Fergus Green (University College London) discussed recent work characterising and overcoming hurdles to success in legal challenges to new fossil fuel projects, drawing from recent UK policy development and administrative processes concerning North Sea oil and gas, and recent case law developments in the UK, Europe and Australia.



# Centre People

## Director

Professor Rebecca Nelson

## Deputy Directors

Dr Brad Jessup

Associate Professor Erin O'Donnell

Dr Alice Palmer

Professor Christine Parker

Dr Cait Storr

## Research Fellow

Astrid Bernal Rubio

## Academic Members

Associate Professor Oliva Barr

Emeritus Professor Michael Crommelin AO

Professor Lee Godden

Professor Kirsty Gover

Dr Liz Hicks

Sam Johnston

Roanna McClelland

Professor Shaun McVeigh

Dr Jayani Nadarajalingam

Dr Lauren Nishimura

Dr Lily O'Neil

Professor Sundhya Pahuja

Professor Jacqueline Peel

Professor Miranda Stewart

Professor Maureen Tehan

Associate Professor Lael Weis

Professor Margaret Young

## Graduate Researchers

Nasrin Akter

Emmeline Appel

Dylan Asafo

Michael Bader

Fia Hamid Walker

Ishrat Jahan

Elliot Legendre

Rebekkah Markey-Towler

Hossain Mohammad Reza

Michael Ukponu

Aashish Yadav

Cover image: Lichen: valued by cultures around the world; a symbol of resilience, diversity and working together

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