



# DE MINIMIS

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## Lost: Property textbook, faith in humanity

**Henry Hamilton** sends a heartfelt message to the cretin who stole his Property textbook.

Dear person who stole my property law textbook,

I don't know you. At least I hope I don't. It's a small cohort though, so the odds that we've met aren't low. It would be awkward to address this public accusation to someone I knew.

I imagine it would be more awkward still to steal the property textbook of someone that you know, but I really don't know how that feels. Maybe you do. You felon.

I exited a lunchtime clerkship seminar four weeks ago. Distracted by joyous thoughts of the firm's "corporate culture" and "international opportunities", I forgot to take my property textbook as I left.

Ten minutes later, the absence of crippling pain in my back tipped me off to the absence of the textbook in my bag. It was just as absent in the lecture theater. And, three weeks later, as absent in lost property. You thief.

I had my name, student number, and mobile number written in the front inside cover. So let's not pretend it just couldn't be traced back to its rightful owner.

You can also borrow that textbook from the library high use section, so

don't claim desperation as an excuse. I payed for that textbook out of Centrelink, not daddy's trust fund, so don't think that I'm loaded enough to just get a new one. You scumbag.

number clearly written down in the textbook.

You couldn't even write a hypo based on this because, with textbook or without, there is simply no ambiguity here. You criminal.

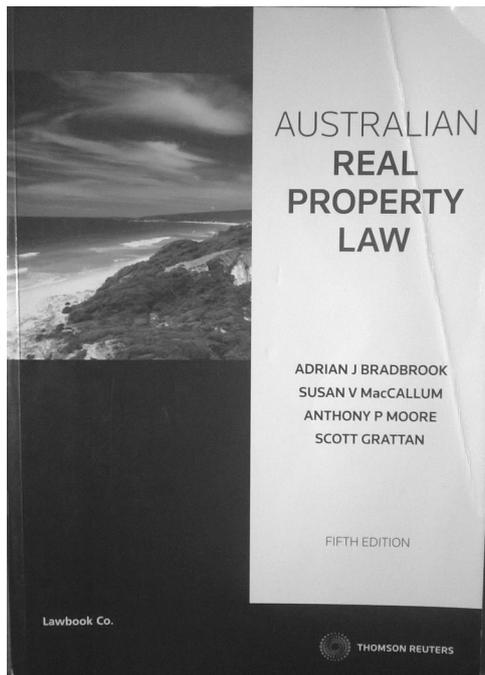
I am not even that annoyed about not having it anymore. As you can now confirm, that textbook is confusing, frequently wrong, and almost always made redundant by your lecturer. You've probably improved my mark by taking it off my hands. On the other hand, I did pay \$160 for it. Unlike you, who payed 0 dollars (and your soul). I would make some argument about property rights, but, you know, no textbook. Maybe you can look it up. You Stalinist.

I am also disturbed that I couldn't put a textbook down for 10 whole minutes before someone racked it. Maybe this is reflective of the cut-throat atmosphere among the second years JDs right now. That would be saddening. You traitor.

I haven't given up all hope. You could send an apologetic text right now. You could leave it at lost property, claiming to have just stumbled upon it. You could leave it above my locker – #201, level 1 – with a box of chocolates taped to the front. But I get the feeling you won't. You heartbreaker.

(semi-)Sincerely,

Henry Hamilton Lindsay



Source: Editor's own work (and own textbook, I swear [Ed.])

I would have been able to explain the torts of conversion, trespass to goods, and (after I've written this) detinue that you're committing. But, sadly, I can't. Because you stole my textbook. And yes, finders do have possessory rights, but only after making reasonable inquiries to find the true owner. Such as calling the

# Hygiene

## WHAT'S A GIRL TO DO? Sanitary Bin-sanity

Attending Melbourne Law School is an absolute privilege. That being said, there are small inefficiencies and inconveniences which plague life at law school and detract from an otherwise exceptional academic experience. I'd like to draw attention to a problem that persisted since before my time at MLS, and has become a pet peeve of mine.

This week I raised the issue with Dean Evans, and have been assured that it is to be addressed shortly. Still, I feel that it is an issue worthy of discussion and we as a cohort should note the fact that an easily resolved problem unnecessarily persisted for so long simply because nobody spoke up about it.

If I had to guess, I'd say the problem has gone unaddressed because it's not a pretty subject, and actually riddled with girl germs. This problem really has been, however, a glaring deficiency within the school.

So I had to ask, *why the fuck aren't there sanitary bins in every female toilet stall?*

I wondered, was this an environmental protest against the waste generated by us pesky gals always menstruating all over the place? Because when you need to use a tampon, you need to use a tampon. Not providing bins is actually not a deterrent.

Perhaps, this was a deliberate attempt at cost cutting? Sheesh, I fumed, thanks for singling out this 'expense' to fight that battle, MLS. The financial struggle at this institution is evidently real but come on.

Many of us already know too well the joy of rushing to the loo when you're already late for class. Dashing into the nearest available stall, and wrenching a bloody tampon from the recesses of what a fellow *De Minimis* contributor once charmingly referred to as my 'temple of doom'.

And there you are, left clutching at the thread of a crimson participation prize in your reproductive cycle.

In many stalls there are helpful signs instructing you NOT to flush your used sanitary napkins or tampons down the toilet (as well as not to attempt to perch atop the seat, as if that isn't obviously a fraught undertaking). God forbid the pipes clog and MLS is inconvenienced. But then you search around and realize, great... there is no bin.

And so begins an unpleasant gift wrapping exercise in which you juggle bags and books, rearrange your underwear and precariously handle a bleak reassurance that your latest Corkman-related lapse in judgment, will not have life long ramifications.

To be serious though, this is just un-sanitary. The school's maintenance staff does an exceptional job in providing clean facilities for us all. It is simply insulting and dangerous that they are exposed to bloody pads and tampons, which belong in hygienic containers but are instead dropped in hand towel bins.

Most appallingly, I noted that even the very limited number of stalls equipped with support handles (assumedly intended to assist injured or mobility challenged students), do not always have bins installed.

Apparently, having your period temporarily heals all ailments (but may also attract bears). You just don't require the mobility assistance you might otherwise need while Aunt Flow lends a supportive hand.

What's a girl to do? Awkwardly loiter outside occupied stalls till one with a bin becomes vacant? Accept that you're just not where you need to be in life generally right now, and shove this inconvenience back into the abyss from whence it came?

Based on my extensive research conducted by creeping around all of the law building's facilities over the weekend (the ultimate in Admin readings procrastination), I'd say we're at about 65% capacity in terms of bins in stalls. But because monthly internal bleeding isn't enough of a

cruel joke, they're pretty much never there when you need one.

All gross jokes aside, there is a real consensus among the female members of the MLS community that our needs are not being adequately met. The physiological burdens of reproduction will significantly impact our careers and lives in huge ways in the near future and are even relevant to current students.

It is necessary for us all to acknowledge these issues, and demand institutional respect and an adequate accommodation of our needs now, if we're to have any hope of reducing institutionalized discrimination and enjoying the equal respect we deserve from our community in the future.

It appears that this issue was the result of a breakdown in communication between MLS and the University's maintenance contractor. I've been assured that health and wellbeing are important issues at MLS, but vigilance and feedback from the school community is necessary to ensure that our needs are met.

I hope that in the very near future MLS will be better equipped to support my lifestyle choice of menstruating every 28 days without humiliating me and jeopardizing school hygiene.

Though I feel that I shouldn't have had to ask, if this issue is dealt with promptly, then I'll be glad that I did.

*Elizabeth Anne is a second-year JD student.*

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# Sexism

## BOYS WILL BE BOYS?

### Speaking up against sexual violence and sexism at MLS

Pleasantly weary from a beautiful evening of dining, dancing and catching up with long lost friends at Law Ball, I wandered out of the Peninsula Ballroom.

The masses had just begun making their way to the party buses to carry on the festivities elsewhere. I, however, was making my way home, thanks to an inconveniently early start at work the following morning. A short distance from the venue doors, still swamped by crowds of merry law students, I bent down to assist my housemate with something.

Suddenly, I felt a sharp thwack on my arse.

Initially simply confused, I looked around. A group of four young men, all strangers to me, had just passed and were looking back at me. "HEY!" I yelled, as the confusion passed and the anger kicked in. "Are you fucking kidding me??!!"

Their response to my distress? All four laughed. Looking right at me. Then, they turned and hightailed it to the party bus as fast as they could.

In my imagination I would race after those sorry excuses for human beings and give them an eloquent piece of my mind; discovering their identi-

ties, perhaps summoning security and phoning the police. However, the reality was far less heroic. Confined by my maxi-dress, heels and delayed by my initial confusion, all I managed was to send a few more expletives floating after them.

Then I realised, I was shaking. I was left with a sinking feeling of humiliation: I felt vulnerable; angry; and disrespected. My pleasant evening had now been tainted.

An overreaction? Some of you may think. I had that thought too. It was no big deal, I tried to convince myself; there's always a few dickheads around. Let it go. But the truth is, we can't afford to let these things go. For too long unwanted sexual violence has simply been seen as just part of a night out. That handsy guy on the dance floor. The fleeting grope in a crowded tram. Unpleasant, but, well, boys will be boys, some say.

I say, let's call it what it is. Let's call it sexual assault (a.k.a. any unwanted sexual behaviour or activity that makes the victim feel uncomfortable, frightened or threatened). We cannot afford to normalize sexual violence of any degree. There is nothing funny about objectifying a person. There is nothing respectable about seeking sexual gratification at another's (unconsenting) expense. There should be no thrill to be found in another's distress. And alcohol consumption provides no excuse for any of these behaviours.

In part I think I felt especially rattled that night because I simply didn't

expect this amongst the law school community. For all of our flaws, on the whole we law students carry a strong sense of justice and a deep understanding of what it means to be a member of a supportive community.

Granted, those cowards I encountered might not be MLS students, and I sincerely hope they aren't. But regardless, I did not expect to be violently slapped while attending a Ball with my peers. I did not expect to feel alone and embarrassed as crowds of fellow students around me looked away awkwardly and continued walking, in spite of my obvious distress.

While thankfully this experience has not been the norm during my time at MLS, even one experience like this at an MULSS event was one too many. But sadly, I am quite sure that I would not be the only one with such a story to tell following the Law Ball.

I urge the MLS student community to speak up every time you see or hear something that even so much as hints at sexual violence, or even simply sexism. We must stop convincing ourselves that these events are 'no big deal' and be ruthless in our efforts to combat sexual violence of all degrees. It is only through open and honest discussion that we will ever be able to address this all too common experience.

*Gemma Freeman is a second-year JD student.*

## Don't like the content? Write your own!

*De Minimis* is written by, and for, the students of Melbourne Law School.

We welcome any and all quality writing that might interest our readers.

If you have insights into the student experience, the legal industry, events on campus, politics, movies, or even fashion, send an email to the editor:

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# WHY YOU SHOULD DO YOUR STS SURVEY

De Minimis Co-Editor and Secretary **Jacob Debets** has a gripe.

This semester, I reckon I've had the same two conversations with about fifty different people. The one about how the required readings in Trusts are insidiously long and (in many cases) stand for single sentence propositions, and the one about how the property textbook is a vile, cancer-causing, largely-irrelevant-if-you-attend-class waste of time riddled with contradictions, grammatical errors and a lack of references.

If you talk to our predecessors, they will echo the same sentiment: "Are they still prescribing 30-page cases for a single sub-principle?" a grad asked me the other day.

It's funny then that at the end of each semester, our teachers have to beg us to provide some feedback

through the feedback survey. Its funny how we ignore them like they're handing out pamphlets for the Socialist Alternative on main campus.

Students do not build this curriculum. We are to take the compulsory subjects prescribed for us, and if we get through the "fear years" in which they are imposed, are permitted to take seven electives over the second half of our degrees.

But that shouldn't mean that we just accept what is prescribed in the compulsory units.

Our readings are too long. **TELL YOUR LECTURER IN THE SURVEY.**

The textbook in property is awful. **TELL YOUR LECTURER IN THE SURVEY.**

Your lecturer needs deodorant. **TELL THEM IN THE SURVEY.**

Last year my Legal Theory tutor la-

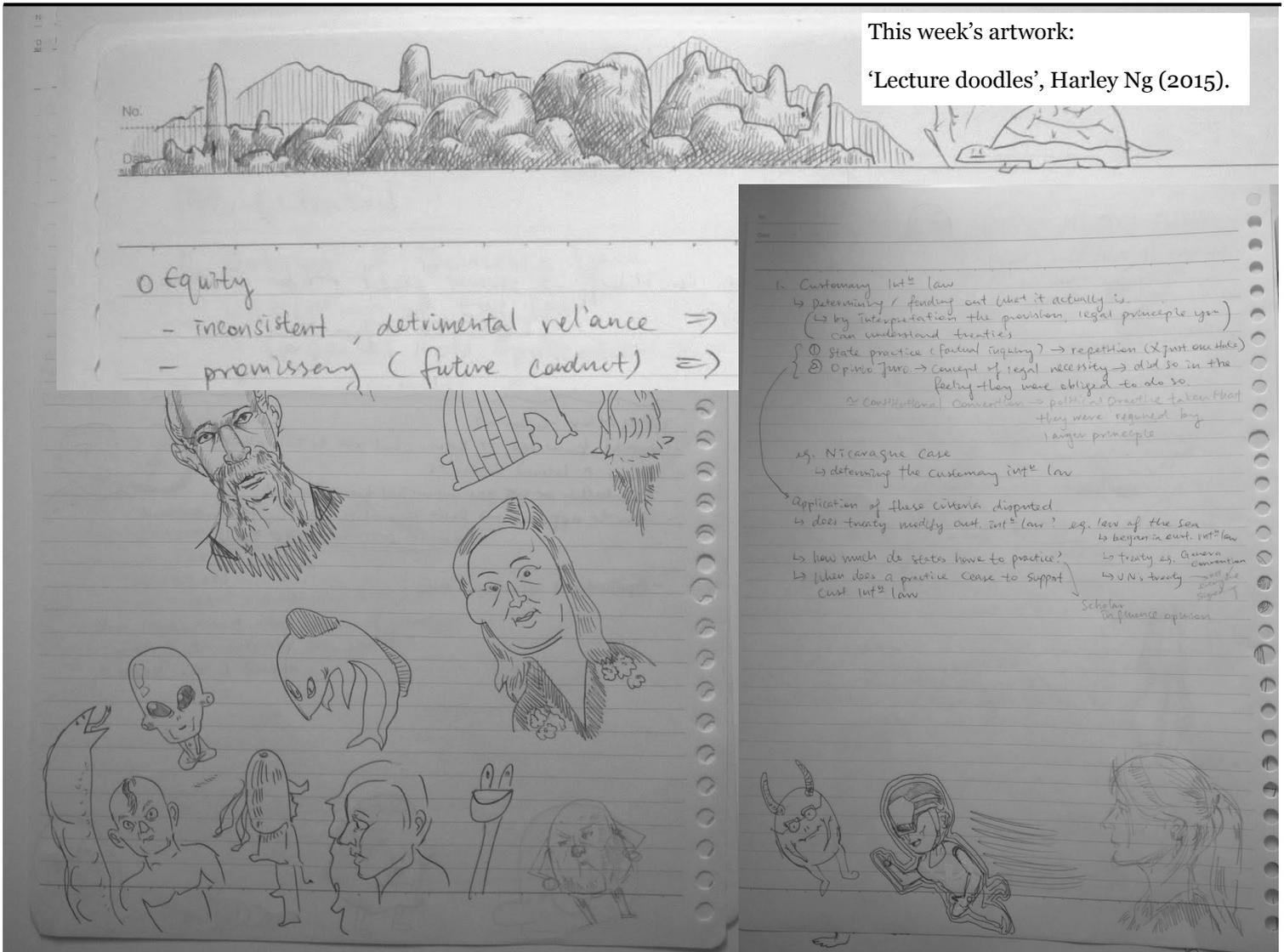
mented that barely a fifth of his 2013 class took the five minutes required to provide some constructive feedback. What the hell were the other 80% doing? Too busy NOT doing the readings because they're too long?

I mean the whole thing is anonymous – so literally the ONLY thing you have to lose is the 8 minutes it takes to put in a meaningful response.

I procrastinate so much I'd provide feedback three times a week if I could – and from the discussions I've had people are harbouring the same feelings. But my teacher's are still perplexed when an entire class hasn't done the readings.

Do your SES feedback survey and save the 2016 class from what we went through. Do what last years' class didn't do for us.

Because if 300 students say "get rid of the property textbook", I reckon they might just consider it.



This week's artwork:  
'Lecture doodles', Harley Ng (2015).