

getting to know

As a fresh faced JD my first sighting of Ian Malkin was at the arduous Orientation Day back in February 2010. He sat causally on a desk dressed in cargo shorts and a t-shirt, in front of 250-odd law students as if he was having an informal chat.

We approach the modern yet clinical 8th floor of the Melbourne Law School. A floor that looks like any other as you step away from the elevators.

But then we round the corner and approach Ian's office. The eclectic assortment of curiosities posted around the room and the luscious plants make me feel instantly at ease. We need more plants and colour in this building I think to myself, more reminders of hope and life. Less about sombre grey and stainless steel rubbish bins.

As a graduate?

Ian spent time working for a Criminal Defense firm, where the competition with other firms was so intense he worked every weekend for two years at the behest of the firm's partner Sheldon trying to swipe up the newest offender in the juiciest murder of the weekend.

In the beginning, his job was to meet with offenders at the Winnipeg jailhouse, a building he describes as a curious law-

Prof. Ian Malkin



Ian Malkin in his office (room 842).

enforcement factory, close to its resources (criminals) and filled with layers for housing inmates, court rooms and police.

"It was like you put a ball (the offender) in one end, give the box (the jailhouse) a shake and out pops the ball on the other end".

During this time Ian found himself constantly frustrated with the 'system' in which he worked and the self-perpetuating nature, and systemic injustice of the criminal law system. He recounts one story where a judge set bail rules requiring offenders not to set foot on the main street, thus making re-offending inevitable. Put simply, Ian describes this time as 'soul destroying'.

Alternative career paths?

Outside the law, Ian entertained a career as an investigative journalist, had it not been for the popularity generated by Watergate and highly competitive program requirements (of course we can understand that

there's a program *more* competitive than law). While pursuing his undergraduate degree in Politics and Economics, Ian admits that if it were not for his distaste for the compulsory subjects calculus

and statistics, he probably would have continued into his honours year. Finally, following the disenfranchisement of working as a defence lawyer, Ian entertained the idea of becoming a social worker or probationary officer.

If you ruled the world for a day, what would you do?

Ian is not a megalomaniac at heart but with a little coaxing on our behalf he states he would eliminate privilege and promote equality and equal opportunity.

How do you manage stress? Ian paused for a moment and chuckled. It appears that the best way he manages his stress is to kick back and watch the latest episode of his favourite show. He shudders at the thought of sport. So next time you see Ian around the law school, mention how good the latest episode of Game of Thrones or Boardwalk Empire was last week.

-Samantha Marinic, Emma Shortt

there's always precedent: student publications at the law school

THE Law School at the University of Melbourne has produced many publications throughout its existence. From the likes of the rigorous Melbourne University Law Review (MULR) to the humorous Purely Dicta.

Each publication has gone through many incarnations. MULR

began in 1935 as *Res Judicatae*, a peer-reviewed student publication modelled on the Harvard Law Review. In 1957 it was given its current name. By 1998 the editorial staff were producing two editions each year while gaining renowned as Australia's foremost legal journal.

The Summons was a quarterly magazine first published in 1891 with a 12 year run, a disappearance, then a revival in 1963.

This paper seeks to fill a role similar to what had been *De Minimis*, a

Newsletter published by the Law Students' Society from 1948-1976. That is, to inform students of the goings-on at the Melbourne Law School, including weekly events, perhaps a gossip column here and there (fully researched of course to maintain at least some semblance of validity), study tips, the "real reasons" you read a newspaper (Sudoku, the crossword, the equivalent of *TheAge* quiz) and opinion pieces on anything and everything.

-Emma Shortt



Will my relationship with my boyfriend survive the first year of law school?

Dear Aunt Myrtle,

I started dating my boyfriend in high school, and we've been together for four years, but I've recently been told that our relationship won't survive the first year of law school. Is this true? Help me Aunt Myrtle!
-Love Hopeful

Dear Love Hopeful,

Aunt Myrtle prides herself on being an expert on all matters of the heart. From her time go-go dancing in Rio, to spinning tracks at Studio 54, she has seen it all.

The answer to this question, however, depends on your relationship. Will your boyfriend get embarrassed when you're drunk at the pub with friends and you lecture

them on their liability if they get injured due to the court's emphasis on autonomy? Will he cope with your breakdown in April because you haven't yet learned to plan your time and had to resort to all-nighters for four weeks in a row to get through the essay overload? Will you still love him when he's burping the alphabet while you're struggling to keep legalese out of your vocab, and dodge sounding like a twerp? It's difficult to know, and each relationship will be different.

It is important however to navigate through these common pitfalls, and factor in your decreased sanity at times of stress.

Aunt Myrtle's tips for overcoming these hurdles are to

never discuss big issues during assessment times; to minimise contact, and therefore avoid abuses to your boyfriend's being, at exam times, and to keep law talk to a minimum (unless of course your boyfriend is facing charges, but that is a whole other, and slightly scarier, issue).

Aunt Myrtle is, at her core (behind the haze of pipe smoke and gin) an optimist and a romantic. She believes in you and your relationship, but will be here with her hanky and a stiff drink if it all goes bust.



is for

law student

really good school marks so I fell into it"; we knew better!

Examine the evidence: by the end first semester, your Facebook is saturated with self-piteous law-related whinging, your friendship group has dwindled to other law students and three people who can tolerate your burgeoning sense of self, and you've forgotten the taste of your grandma's Mars Bar slice and the scent of her hair curlers because you haven't seen her in six months and now she's dead.

Law students have their own building for French CJ's sake! Slightly off campus! Very near to 7 Seeds!

And you know who the worst people are? The students who claim to be studying law to *help* people. Haven't you seen the 1997 Al Pacino classic *The Devil's Advocate*?!***

And the nail in this metaphoric column? The first thing I thought when the editor of this publication pitched the idea to me was, "I could write about myself!" (Or maybe that just makes me a tool? Nah I'm too awesome to be a tool).

So where do we go from here? Do we attempt to eschew this egotism? Perhaps we travel to Italy to eat, India to pray and Bali to do something else (I couldn't sit through the last third of that film).

No we don't. We rock the egotism, just like we rock everything else.

So come back next week, for another insipid rant about something law school-related, because you know that's all you give a shit about.

Charles Hopkins just released his seventh book, "Why won't anyone publish my books?"

***the ending of this film may in no way support this argument (Kirby J get your glasses on).

WE are all massive losers.
Exhibit A: the first thing you thought as a law student was "how do you define 'losers'"? I don't mean in the sense of life achievement – gaining a spot at the Melbourne Law School is proof enough we're winners in one regard.

We're all losers because we're all enormous egomaniacs.

Who signs up for law without being self-obsessed? Law students are the most egotistical of the university-races (apart from maybe the zoologists, I just don't trust 'em). And worse, we're *post-graduate* law students (he almost spits the word (and note to self, use fewer personal pronouns in next edition (and fewer brackets))). We can't even use the excuse "well I got

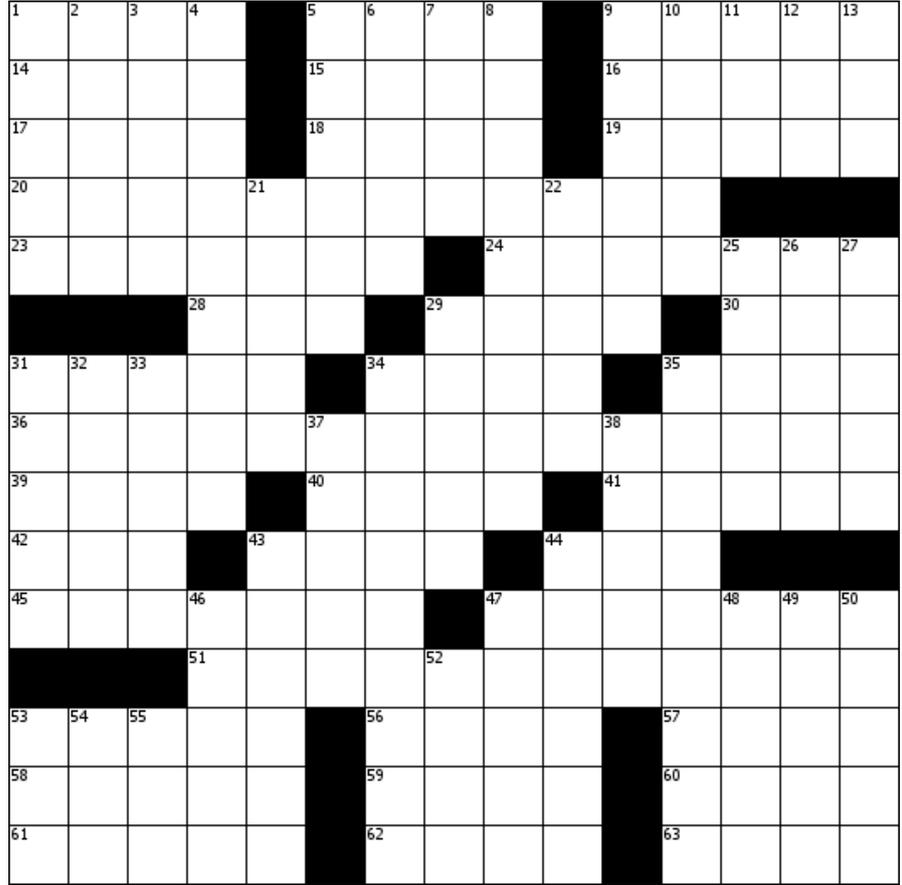
Across

- 1. 12-point type
- 5. 406, in Roman numerals
- 9. Attack like a bee
- 14. Mosque's prayer leader
- 15. Colored
- 16. German sub
- 17. Brazilian soccer player
- 18. Reason to use Stridex
- 19. Partner of John, Paul, and George
- 20. Do the cover art for a Stephen King novel?
- 23. Test or separation follower
- 24. Gave what for
- 28. Mystery author Josephine
- 29. "The Annals of the Roman People" historian
- 30. Yasir Arafat's gp.
- 31. Exhausted
- 34. Imogene of "Your Show of Shows"
- 35. Apple alternative, in body shapes
- 36. Reserved time to read a Stephen King novel?
- 39. Burke's first name on "Burke's Law"
- 40. Mandible
- 41. Cognizant of one's surroundings
- 42. Shoot with a ray gun
- 44. Hydrant attachment
- 44. Barely make, with "out"
- 45. Whiteboard necessities
- 47. Be in charge of
- 51. Buy a Stephen King novel?

- 53. One way to play it
- 56. 2000, but not 0
- 57. Discourteous
- 58. Half of a TV transmission
- 59. James ___ Jones
- 60. Picture on a desktop
- 61. Blue cartoon creature
- 62. Cart used for hauling goods
- 63. Seats in front of the pulpit

Down

- 1. "___ Passes" (Rumer Godden novel)
- 2. "That is to say..."
- 3. Cup
- 4. Fireplace, hot tub, etc.
- 5. Extremely talkative
- 2. "That is to say..."
- 3. Cup
- 4. Fireplace, hot tub, etc.
- 5. Extremely talkative
- 6. Brittany or Aquitaine, once
- 7. Start of Caesar's boast
- 8. Like the cousins on "The Patty Duke Show"
- 9. Certainly
- 10. Former Ford model, for short
- 11. It's either positive or negative
- 12. Henpeck
- 13. 1964 Ronny & the Daytonas hit
- 21. "The Brandon ___ Story" (1998 documentary)
- 22. "Bell, Book and Candle" actress Kim
- 25. "The Bartered Bride," e.g.
- 26. Special talent

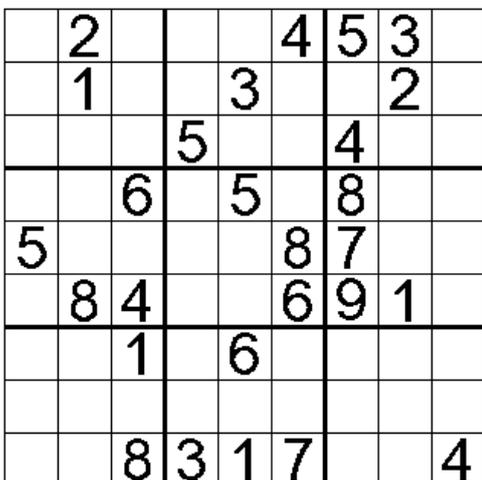


- 27. Strength
- 29. "My Fair Lady" composer Frederick
- 31. Stun
- 32. 1996 presidential candidate Alexander
- 33. Parkinson's treatment
- 34. Unable to see straight?
- 35. Misuse of authority
- 37. Icelandic singer/actress in "Dancer in the Dark"

- 38. Forged artwork
- 43. Learn about
- 44. The ___ Brothers ("Wake Up Little Susie")
- 46. Riser and tread, combined
- 47. "Batman" police chief
- 48. Liquor, slangily
- 49. Provide (with)
- 50. ___ Crush (band formed on "Popstars")
- 52. Eye drop

- 53. Four-year degrees (abbr.)
- 54. "That was delicious!"
- 55. End of a student's e-mail address, perhaps

Courtesy of:
<http://www.onlinecrosswords.net/printable-daily-crosswords-5.php>



Do you have something you want to see in this paper?

Contact us via our Facebook site:

<http://www.facebook.com/groups/133923550064045/>

(yeah, it's long: search for JD Newspaper)

Do you want to contribute to this paper?

Follow the same steps as above

Eliminating the Stigma: Mental Health and Special Consideration

suffer depression

40%

get special consideration

1/3

A THIRD of JD students received special consideration last year due to mental illness and the law school suspect many more are suffering and not coming forward.

Student Wellbeing Coordinator Kate van Hooft said 37 per cent of special consideration applications were due to a variety of mental illnesses.

"I'm a little weary of looking at special consideration data as a litmus test on how the student population is coping. I don't doubt that certain conditions are under-represented in the stats," Ms. van Hooft said.

A study of Australian law students found 38 per cent of students would not come forward about a mental illness.

The University of Sydney Brain and Mind institute surveyed students from 13 law school nationally finding that students don't come forward due to stigma and possible discrimination.

Ms. van Hooft agreed and said students feared a loss of confidentiality or stigmatisation.

"I also think some students may be reluctant to ask for special consideration, or any kind of assistance, because they feel like it's a hand-up, or that it means they're not coping."

Ms. van Hooft also said students often feel shame or that they are not worthy of the consideration. She said there are many misconceptions around special consideration which she hopes can be corrected.

"I think special consideration is misunderstood, as it's not about hand-ups or advantaging one student over the other, but instead about trying to even-out the playing field so that no student is disadvantaged by their circumstances or health," she said.

Ms. van Hooft said there are many reasons why law students are at high risk of developing a mental illness.

"Law changes the way you think. You become more logical and focused but you also lose experiential learning. This type of thinking can lead to students feeling cut off and cold which can lead to depression," she said.

Ms. van Hooft also said the change from a BA to the JD is significant and law often attracts high achievers and perfectionists who find the decrease in marks "quite difficult".

A study by Australian National University found legal education itself can be a factor in mental illness, often undermining students' values, ethical behaviour and career/life satisfaction.

ANU law professor Dr. Katherine Hall found that students often enter law school with similar psychological profiles as the general community, but leave it with a greater tendency to experience anxiety, depression, and alcoholism.

Another study by the University of Sydney's Brain and Mind Institute found mental illness is prevalent not only in law schools, but in the legal profession generally, with 40 per cent of law students, 31 per cent of solicitors and 19 per cent of barristers showing signs of psychological distress so severe as to need clinical attention.

Despite the prevalence of mental illness its stigma often delays students seeking help.

Ms. van Hooft said "it does tend to reach crisis point before they seek help."

She hopes that the more students know about the services the university offer the more likely they will be to seek help.

"We try to do as much intervention as we can, and that if students do seek help before it reaches this point there is usually a lot more that we can do to assist," she said.

The MLS approach to special consideration takes account of these mental health issues and other factors which might disadvantage student in the special consideration policy.

Ms van Hooft said generally special consideration will provide a supplementary exam if circumstances outside of your control affect your ability to perform your best in an exam or attending the exam.

If circumstances outside of your control prevent you from submitting an assignment on time and extension is usually given.

Students experiencing academic disadvantage may be granted separate adjustments outside of special consideration such as additional reading or writing time in an exam or a scribe to assist with writing.

Ms van Hooft emphasised the importance of University deadlines so remember applications for special consideration on an exam must be made within three working days after the date of the exam and you then have five working days to supply documentation to the Faculty to support your application.

If you know that you'll need special consideration, or if you run into a circumstance that requires special consideration, make an appointment with the student Wellbeing Coordinator, Kate van Hooft, to discuss ways that the law school can help you through.

See the JD newspaper website for a simple guide to special consideration.

-Emma Hendersen, Jess Sykes