

# NEIL A GUNNINGHAM

## Curriculum Vitae: August 2008

### Present Post:

Professor,  
Regulatory Institutions Network  
Research School of Pacific and Asian Studies  
*And*  
Fenner School of Environment and Society  
Australian National University  
ACT 0200, Australia  
[Neil.Gunningham@anu.edu.au](mailto:Neil.Gunningham@anu.edu.au)

### Other Positions:

Director, National Research Centre for Occupational Health and Safety Regulation.

### Date of Present Appointments:

January 2002.

### Date & Place of Birth

31 March 1950; Leigh, Lancashire, United Kingdom

### Citizenship:

Australian

### Marital Status:

Married, two children.

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### Academic Qualifications

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1971: LLB (First Class Honours) University of Sheffield  
1972: MA (with Distinction) in Criminology, University of Sheffield

1977: Admitted as Solicitor, England and Wales  
1981: Admitted as Barrister and Solicitor, Australian Capital Territory  
2000: PhD, Australian National University

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### **Main Research Interests**

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- Occupational health and safety regulation;
- Environmental law and policy; and
- Social scientific understanding of regulatory processes.

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### **Employment History**

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1971-1972 Part-time Tutor, Faculty of Law, University of Sheffield  
1972-1974 Lecturer in Law, University of Wales Institute of Science and Technology  
1974-1977 Part-time Lecturer, University of Wales Institute of Science and Technology  
1974-1976 Articled Clerk, Brian Thompson (formerly W H Thompson), Solicitor  
1980 Lecturer in Law, University of Southampton  
1977-1982 Lecturer in Law, The Australian National University  
1983-1986 Senior Lecturer in Law, The Australian National University  
1983-1985 Sub-Dean, Law Faculty, The Australian National University  
1985 Visiting Scholar, Centre for Socio-Legal Studies, Wolfson College, Oxford  
1986 Visiting Professor, Osgoode Hall Law School  
1986-1992 Reader in Law, The Australian National University  
1989-1990 Visiting Research Fellow, American Bar Foundation  
1992-2001 Professor, Law Faculty, Australian National University  
1991-2001 Director, Australian Centre of Environmental Law, ANU  
1997 Senior Fulbright Scholar, University of California, Berkeley  
2001- Visiting Professorial Social Scientist, Center for Law and Society, University of California, Berkeley.  
2001-2002 Visiting Research Fellow, London School of Economics

- 2002- Professor, Regulatory Institutions Network, Research School of Social Sciences, and School of Resources, Environment and Society, ANU.
- 2004- Director, National Centre for Occupational Health and Safety Regulation, ANU.

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**Keynotes, Plenary Lectures, Invitation-only events 2004-2008**

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- Keynote Speaker, Mine Safety Future, Conference, Brisbane, November 2008.
- Annual Journal of Environmental Law Lecture, Reading, England, October 2008.
- Keynote Speaker, International Symposium: "Smart Regulation for Global Competition", Environmental Policy Research Centre, Berlin, Oct 2007.
- Speaker, "The State Legislature and Non-State Law", International Symposium, Centre for Legislative Studies, Tilburg University June 2007.
- Keynote Speaker, Finnish Environment Institute, "Evolving Regulation" at Policy Instruments and Effectiveness Conference, June 2007
- Keynote Speaker, Finnish Academy (Environment and Law Program) Changing Policy Instruments June 2007
- Semi- Plenary Speaker, "Reflexive Governance of Global Public Goods", Amsterdam Conference on Human Dimensions of Global Climate Change, May 2007.
- Plenary Speaker, "Compliance: The Roles of Regulation, Education and Communication" Australasian Fisheries Conference, Hobart, March 2007.
- Invited Speaker, APEC Ministers Responsible for Mining Meeting, Perth, February 2007.
- Invited Speaker, Harvard Business School, Institutional Foundations for Business Self-Regulation, January 2007
- Environment Agency UK , International Seminar, (half day, arranged around my presentation, "Thinking Laterally, The Challenge of Engaging and Influencing Small and Medium Sized Enterprises") London, November 2006.
- Invited Speaker, International Roundtable on non-state regulation: Vanderbilt International Legal Studies Program Sept 2006.
- Keynote Speaker, Royal Netherlands Academy of Arts and Sciences, Academy Colloquium, Partnerships in Sustainable Development, Amsterdam, June 2006.

Keynote Speaker, “Environmental Empowerment: The Changing Game” conference, Park City, Utah, June 2006.

Invited Keynote Speaker, “Managing and Maintaining Compliance” conference, Leiden University, Netherlands, April 2006.

Keynote Speaker: “Environmental Policy: International Realities in Law” conference, Madison, Wisconsin, January 2005.

Keynote Speaker, Confronting the Real Issues, Mine Safety Conference, Queensland, August 2005.

Opening Address (invited) FPAA HazMat Conference, Sydney May 2005.

Speaker and Discussant, OECD Workshop on Environmental Policy Instruments for Water Quality Management, Tokyo, December 2004.

Speaker and panelist, OECD Global Forum on Sustainable Development: Impact of Economic Aspects of Compliance Assurance, Paris, December 2004.

Keynote Speaker, Australasian Environmental Law Conference, Melbourne, November 2004.

Plenary Speaker, Regulating Biotechnology conference, University of Amsterdam, May 2004.

Keynote Speaker, “Regulation, De-regulation and Re-regulation in Globalizing Asia” conference, National University of Singapore, March 2004.

Keynote Speaker (invited) at “Innovation, Sustainability and Policy” conference, Seon, Germany, May 2004

Opening Address, Environmental Defenders’ Office, Annual Conference, Sydney May 2004.

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**Editor, Editorial Boards etc**

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Editor (regulation and business) *Environment and Planning Law Journal*

Co-editor (regulation, bi-annual special issue) *Journal of Occupational Health and Safety – Australia and New Zealand*

Editorial Board, *Regulation and Governance*.

Editorial Board, *Law and Policy*.

Editorial Board, Environmental Policy and Governance

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**Election to Fellowship of learned Academy etc**

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Fellow, Australian Academy of Social Sciences, 2006.

Senior Fulbright Scholar, 1997.

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## Teaching

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- (i) **ANU Law Faculty (pre-2000)** Commercial Law, Contracts, Criminology, Environmental Law, Jurisprudence, Labour Law, Occupational Health and Safety Law, Sociology of Law.
- (ii) **Australian Centre for Environmental Law (post 2002)** Annual intensive postgraduate unit on: either: Environment, Business and Regulation; Business Strategy and Environment Responsibility; Fundamentals of Environmental Law.

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## Research Grants 2001-2007

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\$532,000 ARC Discovery Grant (2007-2011): The New Collaborative Environmental Governance

\$353,000 (including Linkage Partner contribution) (2007-2009) ARC Linkage Grant: Internal Regulation, overcoming the Disconnect

\$156,000 from the Australian Research Council (2003-2005): Beyond Compliance – Safety Health and Environment Regulation in the Mining Sector.

\$75,000 from National Occupational Health and Safety Commission (2003-2005), Beyond Compliance – Safety Health and Environment Regulation in the Mining Sector

\$237,000 from the Australian Research Council (2004-2006) with C Shearing: Local Capacity Regulation, Facilitating Participatory Environmental Policy.

\$60,000 from the Victorian Environmental Protection Authority (2004-2006), Local Capacity Regulation, Facilitating Participatory Environmental Policy.

\$150,000 from the Australian Research Council, (2001-2003): Safety on the Farm.

\$324,000 from the Australian Research Council (2002-2004) Regulatory Design for Water Quality Management.

\$100,500 from Water Corp (WA), Waters and Rivers Commission and Environment Protection Authority (2002-2004): Regulatory Design of Water Quality Management.

\$1,650,000 National Occupational Health and Safety Commission, (2002-2007) re National Research Centre for Occupational Health and Safety Regulation.

\$386,000 (US\$285,000), US Environment Protection Agency (with Thornton and Kagan, administered by University of California: Corporate Environmental Performance and the Effectiveness of Government Interventions (2001-2003).

\$440,000 (US\$325,000), US Environment Protection Agency (with Thornton and Kagan, Business Decisions and their Environmental Impacts, administered by University of California: (2005-2007).

**Total monies raised (including collaborations) 2001-2007: \$4,461,500**

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### **Reports to Government (last 6 years)**

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Innovative Governance and Regulatory Design: Managing Water Resources, Landcare Research, New Zealand, 2008.

Review of Key Characteristics that Determine the Effectiveness of OHS Instruments, (with E Bluff), Report to Australian Safety and Compensation Commission, 2008.

Specialist Advisor: Board of Inquiry into Enforcement Policy (NSW Department of Primary Industry, 2007

Review of Northern Territory Work Health and Mine Safety Legislation (with Shaw et al), 2007

Applying the National Mine Safety Framework: Review and analysis of Australian Mine Safety Legislation, Department of Industry, Tourism and Resources, (Cth) 2007.

OHS Policy Review of Proposed Consolidated Regulations (with Johnstone) WorkSafe Victoria, 2006.

Compliance Framework Policy: Developing a Conceptual Framework for Compliance, Victorian WorkCover Authority, 2005.

Linking Incentives, Integrated Policy Instruments to achieve Sustainable Agricultural Systems, Rural Industries Research and Development Corporation, 2004.

Ministerial Inquiry into OHS Systems and Practices, Ritter Inquiry, Western Australia (see particularly "The Gunningham Report", appendix 4) 2004.

Deterrence and Environmental Policy, US Environmental Protection Agency, 2003-2004 (with Kagan and Thornton)

Farm Machinery Regulatory Review, Rural Industries Research and Development Corporation, 2003.

Designing Innovative Strategies for Environmental Compliance, OECD 2001-2002.  
Environmental Management Systems and Regulatory Design, United Nations Environment Program, 2001-2002.  
Voluntary Compliance Initiatives: Forestry and Mining, OECD, 2002.  
Environmental Partnerships in Australian Agriculture, Rural Industries Research Development Corporation, 2002 (with Sinclair).

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## **Publications (books )**

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***First named author on all joint-authored publications unless explicitly stated below***

- \**Mine Safety: Law, Regulation and Policy*, Federation Press, 2007.
- \**Shades of Green, Business, Regulation and Environment* (with Kagan and Thornton) Stanford University Press, 2003, 206 pp.
- \**Leaders and Laggards: Next Generation Environmental Regulation* (with Sinclair) Greenleaf Press, UK, 2002, 204 pp.
- \**Regulating Workplace Safety: Systems and Sanctions* (with Johnstone), Oxford University Press, 1999, 404 pp.
- \**Smart Regulation: Designing Environmental Regulation* (with Grabosky), Oxford University Press, 1998, 492 pp (approx 2/3 written by Gunningham-see contents pages for details).
- Law in Context* (Bottomley, Gunningham and Parker), Federation Press, 1991, 353 pp.
- Industrial Law and the Constitution*, Federation Press, 1989, 164 pp.
- Commercial Law* (Greig and Gunningham), Butterworths, 1988, 582 pp.
- Safeguarding The Worker*, Law Book Co, 1984, 426 pp.
- Pollution, Social Interest and the Law*, Martin Robertson, 1974, 95 pp.

## **Books (edited)**

- OHS Regulation for a Changing World of Work* (eds Bluff, Gunningham and Johnstone), Federation Press, 2004, 245 pp.
- Environmental Outlook III* (eds Leadbeter, Gunningham and Boer), Federation Press, 1999, 350 pp.
- Environmental Outlook II* (eds Boer, Fowler and Gunningham), Federation Press, 1996, 350 pp.

*Crime and the Environment* (ed with Norberry), Australian Institute of Criminology, 1995.

*Environmental Outlook: Law and Policy* (eds Boer, Fowler and Gunningham), Federation Press, 1994, 312 pp.

*The Industrial Relations of Occupational Health and Safety*, (Creighton and Gunningham), Croom Helm Australia, 1985, 265 pp.

### **Editor of Special Issue of Journals**

Special Issue of *Law and Policy* on Regulation and Business Behaviour, Vol 27, No 2, April 2005 (with R Kagan).

Special Issue of *Journal of Occupational Health and Safety – Australia and New Zealand*, on regulation of OHS, 2006.

Special Issue of *Journal of Occupational Health and Safety – Australia and New Zealand*, on regulation of OHS, 2004.

Special Issue of *Law and Policy* on Business Self Regulation, Vol 17 No 4, 1997 (with J Rees).

### **Publications (articles)**

#### **2008**

“The Role of Industry Associations in Occupational Health and Safety” (with J Rees) *Journal of Occupational Health and Safety- ANZ*, Vol 24 (1) Feb 2008.

‘Occupational Health and Safety, the Mining Industry and the Changing World of Work’ (2008), *Economic and Industrial Democracy*, vol 29, 336-361.

#### **2007**

“Designing OHS Standards: Process, Safety Case and Best Practice” 2007 *Policy and Practice in Health and Safety*, Issue 2 , pp. 3-24(22).

“Environmental Partnerships in Agriculture; Reflections on the Australian Experience” in *Partnerships, Governance and Sustainable Development*, P Glasbergen, F Biermann and A Mol (eds), 2007, Edward Elgar, UK.

“Prosecution for OHS offences: Deterrent or Disincentive?” 2007 *Sydney Law Review*, 29 (3) pp359-390.

“Corporate Environmental Responsibility, Law and the Limits of Voluntarism”, in McBarnett, D, Voicescu, A & Campbell, T (2007) *The New Corporate Accountability: Corporate Social Responsibility and the Law*, Cambridge University Press, Cambridge.

"Neighbourhood Environment Improvement Plans: Community Empowerment, Voluntary Collaboration and Legislative Design" (2007) 24 *Environmental and Planning Law Journal* Vol 24, No 2, pp125-151 (with Cameron Holley and Clifford Shearing).

"Assessing the role of voluntary environmental management arrangements in agriculture: an Australian perspective" (2007) 6(3) *International Journal of Agricultural Resources, Governance and Ecology* 296-315.

"Regulating Biotechnology: Lessons from Environmental Policy" in H Somsen (ed) (2007) *The Regulatory Challenges of Biotechnology*, Cheltenham, Edward Elgar, 3-19.

"Incentives to Improve Farm Management: EMS, Supply Chains and Civil Society" (2007) 82 *Journal of Environmental Management*, 302-310.

## **2006**

"Managing Corporate OHS Performance: Reducing Mine Site Variation" (2006) 1(3) *Australasian Mine Safety Review* 92-100 (with Sinclair).

"Best Practice Mine Safety Legislation: Are We There Yet?" (2006) 22(3) *Journal of Occupational Health and Safety: Australia and New Zealand* 237-251.

"Environment Improvement Plans: Facilitative regulation in practice" (2006) 23(6) *Environmental and Planning Law Journal* 448 (Holley and Gunningham).

"Editorial: Complexities of OHS Regulation" (2006) 22(3) *Journal of Occupational Health and Safety: Australia and New Zealand* 203-204 (Bluff, Gunningham and Hopkins).

"Safety, Regulation and the Mining Industry" (2006) 19 *Australian Journal of Labour Law* 30-58.

"Design Principles for Smart Regulations" in M Ramesh and Michael Howlett (Eds) (2006), *De-regulation and its Discontents: Rewriting the Rules in the Asia Pacific*, Cheltenham: Edward Elgar (reprinted from Gunningham and Grabosky, 1998, Ch 6).

"Reconfiguring Environmental Regulation" in P Eliadis, M Hill and M Howlett (eds) (2006) *Designing Government: From Instruments to Governance*, McGill-Queens University Press, 333-351.

## **2005**

"Policy Instrument Choice and Diffuse Source Pollution" (2005) 17(1) *Journal of Environmental Law* 51-81 (with Sinclair).

- "Safety, regulation and the mines inspectorate: lessons from Western Australia" (2005) 21(4) *Journal of Occupational Health and Safety: Australia and New Zealand* 299-310.
- "Regulating Intensive Agricultural Pollution" (2005) 12 *Australian Journal of Environmental Management* 19-29, (with D Sinclair).
- "Regulating Water Pollution from Light Industry: Lessons from the Swan-Canning, (2005) 22 *Environment and Planning Law Journal* 328-349.
- "Regulation and Business Behavior, Editorial" (2005) 27(2) *Law and Policy* 213-218 (with R Kagan).
- "Motivating Management: Corporate Compliance in Environmental Protection" (2005) 27(2) *Law and Policy* 89-316 (with D Thornton and R Kagan).
- "General Deterrence and Corporate Environmental Behavior" (2005) 27(2) *Law and Policy* 262-288 (Thornton, Gunningham and Kagan).

## **2004**

- "Regulating by Stealth: Reducing the OHS Impact of Pesticides" (2004) 2(2) *Policy and Practice in Health and Safety* 25-42 (with P Healy).
- "Codes of Practice: The Australian Experience" in K Webb (ed) *Voluntary Codes: Private Governance, the Public Interest and Innovation* (2004), Carleton, Canada, 317-334.
- "Cotton, Health and Environment" A Case Study of Self-Regulation" (2004) *The Australian Journal of Natural Resources Law and Policy* Vol 9, No 2, pp 189-228.
- "Principle, Process, Performance or What? New Approaches to OHS Standards Setting" in *OHS Regulation for a Changing World of Work* in Bluff, Gunningham and Johnstone (eds) (2004), Federation Press (with L Bluff).
- "Regulating Agricultural Chemicals: Limitations of the Status Quo" (2004) 20(3) *Journal of Occupational Health and Safety: Australia and New Zealand* 255-262 (with P Healy).
- "Agricultural OHS Policy: Towards Systemic Reform" (2004) 30(4) *Journal of Occupational Health and Safety: Australia and New Zealand* 319-324 (with P Healy).
- \*"Social License and Environmental Protection: Why Businesses Go Beyond Compliance" (2004) 29 *Law and Social Inquiry* 307-341 (with Kagan and Thornton).
- "Explaining Corporate Environmental Performance: How Does Regulation Matter?" (2004) 35 *Land Use and Environmental Law Review* (with Kagan and Thornton).

“Curbing Non-Point Source Pollution: Lessons from the Swan-Canning” (2004) 21 *Environmental and Planning Law Journal* 181-199 (with D Sinclair).

“Non-Point Source Pollution, Voluntarism and Policy Failure: Lessons from the Swan-Canning” (2004) 21 *Environmental and Planning Law Journal* 93-106 (with D Sinclair).

### **2003**

“Sources of Corporate Environmental Performance” (2003) 46(1) *California Management Review* 127-141 (Thornton, Kagan and Gunningham).

“Agricultural Machinery Safety: Regulating the Supply Chain” (2003) 19(2) *Journal of Occupational Health and Safety: Australia and New Zealand*, 191-200.

“Agricultural Machinery Safety: Regulating the Workplace” (2003) 19(3) *Journal of Occupational Health and Safety: Australia and New Zealand* 235-251.

\*\*“Regulatory Regimes and Variations in Corporate Environmental Performance: Evidence from the Pulp and Paper Industry” (2003) 37(1) *Law and Society Review* 51-89 (Kagan, Gunningham and Thornton).

“Voluntary and Negotiated Agreements in Agriculture: Towards A Partnership Approach to Resource Management”, (2003) 8(1) *The Australasian Journal of Natural Resources Law and Policy* 2003 1-28.

### **2002**

“Partnerships, Management Systems and the Search for Innovative Regulation in the Vehicle Body Shop Industry” (2002) 11 *Business Strategy and Environment* 236-253 (with Sinclair).

\*\*“Regulating Small and Medium Sized Enterprises” (2002) 14(1) *Journal of Environmental Law* 2002.

“Green Alliances: Conflict and Cooperation in Environmental Policy” (2002) 9 *Australian Journal of Environmental Management* 42-51.

“Regulatory Pluralism: Designing Policy Mixes for Environmental Protection” (2002) in Menell P (ed) *Environmental Law*, Dartmouth, (reprinted from Gunningham and Sinclair, *Law and Policy*, 1999).

“Voluntary Approaches to Environment Protection: Lessons from the Mining and Forestry Sectors” (2002) in *Foreign Direct Investment and the Environment: Lessons from the Mining Sector*, OCED, Paris, 157-185.

### **2000**

\*"The Legal Construction of OHS management Systems" (2000) in K Frick (ed) *Systematic Occupational Health and Safety Management- Perspectives on an International Development*, Elsevier Science Ltd, Oxford UK (with Johnstone).

\*"Integrative Regulation: A Principle-Based Approach to Environmental Policy" (2000) 24(4) *Law and Social Inquiry*, 853-896 (with Sinclair).

### **1999**

"Harnessing Third Parties as Surrogate Regulators: Achieving environmental outcomes by alternative means" (1999) *Business Strategy and the Environment* (with Phillipson and Grabosky).

\*"Integrating Management Systems and Occupational Health and Safety Regulation" (1999) *Journal of Law and Society* 192-214.

"Designing Smart Regulation" (1999) in Hutter (ed) *Environmental Regulation*, Oxford University Press, 305-334 (with Sinclair).

"Environmental Management Systems, Regulation and the Pulp and Paper Industry: ISO 14001 in Practice" (1999) *Environmental Planning and Law Journal* 5-24 (with Sinclair).

\*"Regulatory Pluralism: Designing Environmental Policy Mixes" (1999) *Law and Policy* 49-76 (with Sinclair).

### **1998**

\*"Environmental Management Systems and Community Participation: Rethinking Chemical Industry Regulation" (1998) 16(2) *UCLA Journal of Environmental Law and Policy* 319-439.

\*"New Generation Environmental Policy: Environmental Management Systems and Regulatory Reform" (1998) 22(3) *Melbourne University Law Review* 592-616 (with Sinclair).

"Towards Effective and Efficient Enforcement of Occupational Health and Safety" (1998) 19(4) *Comparative Labour Law & Policy Journal* 547-584.

### **1997**

"Mixing Instruments and Institutional Arrangements for Optimal Biodiversity Conservation" (1997) in *Investing In Biological Diversity*, OECD, Paris, 141-165 (with Young).

\*"Industry Self Regulation" (1997) 17(4) *Law and Policy* (with J Rees).

\*"Towards optimal environmental policy: the case of biodiversity conservation" (1997) 24(2) *Ecology Law Quarterly* 243-298 (with Mike Young).

## **1996**

"Codes of Practice: The Australasian Experience" (1996) *Report for the Treasury Board of Canada/Dept of Consumer Affairs*.

"From compliance to best practice in OHS: the role of specification, performance and systems based standards" (1996) 9(3) *Australian Journal of Labour Law* 221-246.

"Regulating land based sources of marine pollution in the Caribbean: legal, incentives-based and institutional frameworks" (1996) in Weiss Waart and Denters (eds) *Towards international economic law with a human face: an integrated perspective on sustainable development*, Martinus Nijhoff/Kluwer (with D Freestone).

"Biodiversity: Economic Incentives and Legal Instruments" (1996) in Boer, Fowler, Gunningham (eds) *Environmental Outlook II*, Federation Press.

"The More Dolphins There Are, The Less I Trust What They're Saying: Can Green Labelling Work?" (1996) 18(1) *Adelaide Law Review* (with S.Dawson).

## **1995**

"Introduction" (1995) in Gunningham, Norberry and McKillop (eds) *Environmental Crime* (with Norberry).

"Environment, Self regulation and the Chemical Industry: Assessing responsible Care" (1995) 17 *Law and Policy* 55-107.

"Issues and Options in Designing a National Pollutant Inventory" (1995) *Report to Environment Protection Agency* (Cth).

## **1994**

"Legislating the Right to Know" (1994) 11(4) *Environment and Planning Law Journal* 274-288 (with Cornwall).

"Proactive Environmental Management: Business and Regulatory Strategies" (1994) 1(2) *Australian Journal of Environmental Management* 121-134.

"Empowering the Public: Information Strategies and Environmental Protection" (1994) in Gunningham, Norberry and McKillop (eds) *Environmental Crime*.

"Designing Sustainable Environmental Regulation" (1994) in U Steen and L Lauritsen, *Governing Our Environment, Centre for Social Science Research and Environment*, Copenhagen, 125-139.

"Legal, Institutional and Industrial Relations Environment Governing Occupational Health and Safety Overseas" (1994) *Report to Industry Commission*.

"Futures Market Regulation in Australia" (1994) in Walker and Fisse (eds) *Securities Regulation in Australia and New Zealand*, Oxford University Press, 819-845.

"Beyond Compliance: Management of Environmental Risk" (1994) in Boer, Fowler, Gunningham (eds) *Environmental Outlook: Law and Policy*, Federation Press, 254-281.

"Environmental Law: Developing an Optimal Regulatory Strategy" (1994) 25(4) *Search Science and Technology in Australia and New Zealand* 98-101.

### **1993**

"Thinking about Regulatory Mix: Regulating Occupational Health and Safety, Futures Markets and Environmental Law" (1993) in P Grabosky and J Braithwaite (eds) *Business Regulation and Australia's Future*, 133-150.

"Beyond Command and Control: Towards Flexible and Cost - Effective Business Regulation" (1993) in C Coady and C Sampford (eds) *Business, Ethics and Law* 93-112.

"Environmental Auditing: Who Audits the Auditors?" (1993) 10(4) *Environmental and Planning Law Journal* 229-238.

"Environmental Audit and Regulatory Strategy: Prospects and Reform" (1993) 15(4) *Sydney Law Review* 492-526 (with J Prest).

"Agenda 21: The Legal Implications" (1993) in B Boer, R Fowler and N Gunningham (eds) *Report to the Business Council of Australia*.

### **1992**

"Futures Market Regulation in Australia: Part I" (1992) *Australian Law Journal* 59-66.

"Futures Market Regulation in Australia: Part II" (1992) *Australian Law Journal*.

"Public Choice: Advancing the Economic Analysis of Law" (1992) 21(1) *Federal Law Review* 117-135.

### **1991**

"Private Ordering, Self-Regulation and Futures Markets: A Comparative Study of Informal Social Control" (1991) 13(4) *Law and Policy* 297-326.

## **1990**

"The Role of Federal Awards in Regulating Occupational Health and Safety Standards" (1990) 3(1) *Australian Journal of Labour Law* 54-59.

\*"Moving the Goalposts: Financial Market Regulation in Hong Kong and the Crash of October 1987" (1990) 15 *Law and Social Inquiry* 1-48.

## **1989**

"Asbestos Mining at Baryulgil: A Case of Corporate Neglect?" (1989) in Grabosky and Sutton (eds) *Corporate Harm/Corporate Crime: Australian Case Studies*, 208-236.

## **1988**

"Protective Legislation and discrimination in the Australian lead processing industries: Their productive effects of inorganic lead" (1988) 4(1) *Journal of Occupational Health and Safety* 9-20 (with C Winder).

"Protective Legislation and discrimination in the Australian lead processing industries: Implications for Future non-discriminatory legislation" (1988) 4(2) *Journal of Occupational Health and Safety* 175-186 (with C Winder).

## **1987**

\*"Negotiated Non-Compliance: A Case Study of Regulatory Failure" (1987) 9(1) *Law and Policy* 69-67.

## **1986**

"Consumer Credit" (1986) *The Law Handbook (ACT Supplement)*, ANU.

"Protection" (1986) *The Law Handbook (ACT Supplement)*, ANU (with C Cook and N Seddon).

"Equal Employment Opportunity and Protective Legislation: Directions for Reform" (1986) 16(3) *Federal Law Review* 240-268.

## **1984**

"Safety on the Job" (1984) 11 *Rupert Public Interest Journal*.

## **1983**

"Legislating for Job Safety" (1983) *Australian Society of Labour Lawyers*.

### **1980**

- "Industrial Safety Law in Social and Political Perspective" (1980) in R Tomasic (ed) *Legislation and Society in Australia*, Allen and Unwin, 147-173 (with W B Creighton).
- "An Overview of Safety Legislation in Australia" (1980) *Safety Legislation - Operation Update*, SIA, 18-29.
- "The Way Ahead" (commentary) (1980) *Health and Safety at Work: A Review of Current Issues*, CCH, 123-130.

### **1979**

- "Prevention or Punishment; Legal Protection from Injury" (1979) *Legal Service Bulletin* 19-23.
- "Safety Health and Welfare in Australia: Legislation, Regulation and Administration - A National Report", for *International Encyclopedia of Comparative Law*.
- Consumer Protection ACT, Chapter of ACT/NSW Legal Resources Book (with N Seddon), ANU/Redfern Legal Centre (1979).

### **1978**

- "Asbestos Hazards and Legal Regulation" (1978) 3(2) *Legal Service Bulletin* 46-49.
- "The Industrial Safety Health and Welfare Act 1977 - A New Approach?" (1978) 6(1) *University of Tasmania Law Review*.

### **1977**

- "Power, Politics and Environment" (1977) 13 *Banaras Law Journal*.