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Education:

BA (Hons) Economics major; LLB (Bachelor of Laws) and LLM (Master of Laws), all from the University of Melbourne.

1. Give us a brief overview of your professional career and how you ended up at the University of Melbourne in your current position.

After I finished my undergraduate degree I worked in the public sector (State of Victoria) as an Economist while finishing my Law degree part-time. I moved into the practice of Law some seven years later, first working in private practice (mainly as an international maritime lawyer) and then in-house as a corporate lawyer. I was a corporate lawyer for Alcoa of Australia (the Australian subsidiary of Alcoa) for a number of years and then became the General Counsel of General Motors Holden, which is the Australian subsidiary of General Motors. I moved away from corporate practice in 2001 for family reasons and accepted a position in the Research Office at the University of Melbourne. I took on my current role at the University at the beginning of 2006.

2. What are your current responsibilities and what are the most rewarding aspect(s) of your position?

Essentially I am responsible for the supervision of about 17 staff, 11 of whom are lawyers and oversee the operational management of legal matters for the University, with the exception of bequests and endowments which are not my group's responsibility.

Before I took on the role of Director, Legal Services, there were two groups of lawyers at the University. One group was part of the Research Office and responsible for research contracts (that's where I came from) while the other group looked after more general legal matters. As part of my new role I had to bring the two groups of lawyers together to form one unified

department, so that essentially we have one 'shop-front' for the provision of Legal Services at the University. We provide a broad range of legal services, including negotiating, drafting and advising on all types of agreements including research contracts, information technology licences, leases, construction contracts and teaching and learning relationship agreements, to name a few. We also get involved in disciplinary issues involving staff and students. Our group also provides legal services to the University's technology transfer company. Recently, we re-structured the group into Practice Areas headed by Senior Lawyers, reflecting the University's core business areas. Research is, of course, a key Practice Area.

My practice is a very general one and therefore very stimulating. However, because of my background and personal interest I continue to draft and negotiate some significant research funding agreements, research related infrastructure projects and commercialisation of intellectual property. I am also very interested in research policy matters.

3. What are the key qualities required for your position?

That's a tough question because someone else would probably handle it differently, with emphasis in different areas. However, flexibility at all times, the ability to manage on a shoe-string budget (especially compared to corporate practice) and the ability to operate in a sometimes ambiguous environment where the 'real' hierarchy can be difficult to determine, are all important aspects. It is important to understand the goals and aspirations of individual clients, especially in the Research portfolio, vis-à-vis those of the institution itself. Most times they align, but occasionally they don't and that can be a delicate balancing act to manage.

Given the number of staff in my team, dedicated time to managing people is also important. Most lawyers who work in Australian universities are not primarily driven by financial incentives. They are there for other reasons, especially for work-life balance and job satisfaction. Getting the best out of staff in these circumstances is only possible if they are provided with appropriate opportunities that meet both their requirements and those of the University.

It goes without saying that it's important to be a good, practical (not black letter) lawyer.

4. As an attorney, what are the major issues you see in managing research in Australia?

A major issue is funding and the terms and conditions attaching to funding for research, especially fundamental research. In the time that I have been working at the University I have seen funding agreements, including from government agencies, become more onerous and complex. However, the Australian government has recently initiated an Innovation Review and we are waiting to see what changes may spring from that. A group of legal counsel, including myself, from Australia's "Group of Eight" research intensive universities, got together and drafted a submission to the Innovation Review. The submission suggests that research funding agreements should reflect 'first' principles in relation to publication rights, ownership of and access to intellectual property, involvement of students, moral rights etc.

5. Do you see much difference in laws between Australia and other western nations as they pertain to managing research?

There are some differences in key areas that we could benefit from adopting! For instance, we do not have the benefit of Bayh-Dole type legislation. Consequently, the issue of IP ownership is nearly always a threshold issue to be negotiated – even with government agencies and usually they insist on owning project intellectual property, even if they haven't fully funded its creation.

The full economic costing of research is also an issue and including an appropriate levy for overheads can be a major point of discussion.

6. How often does your office interact with the research office at the University of Melbourne?

Regularly! While Legal Services is now one group, it is, as I said earlier, divided into Practice Areas reflecting the University's core business. One group (4-5 lawyers) specializes in research contracts and all those lawyers work directly with Research Office staff and academic researchers. We call it a "shared services" approach. I also have monthly meetings with the VP, Research Office and am part of the Research Executive team which meets weekly with our Deputy Vice Chancellor, Research. It also helps that we are co-located in the same building.

7. Are there any aspects of your international experience that colleagues in NCURA could learn from?

Australia is a small fishpond compared to the United States – we often look to learn from you and other major jurisdictions. In 2006 I was the fortunate recipient of a scholarship from this University which allowed me to visit Universities in Singapore, UK, Canada and the US to look at, amongst other things, how research agreements are managed. In the US I visited the University of California, Berkeley and the University of Virginia. Colleagues at both those institutions, (and the others I visited elsewhere) were incredibly open and helpful. What struck me was how much we universally have in common. We are, generally speaking, all concerned with similar issues – IP access regimes, student rights, publication rights, moral rights, indemnities, warranties about fundamental research etc. It was very reassuring to realize that, because sometimes we can each be made to feel that our negotiating position as an individual university is unreasonable and un-commercial.

8. What do you see are the upcoming legal issues in international research administration over the next 5-10 years?

The lack of borders and boundaries, or at least, their unimportance to our researchers. Researchers collaborate with each other, regardless of location and increasingly, of discipline and generally aren't interested in either administrative or legal boundaries. They often see these as impediments. Technology has now also made dissemination of research much faster and easier – those of us in the administration of research often feel that we are constantly trying to catch up with the effect of technology.

9. What have been your greatest successes and challenges as an attorney?

Every negotiation that results in a mutually beneficial but respectful collaboration is a success, I think. Recently I was involved in negotiating a \$50M (Australian) grant from the State of Victoria to the University towards the establishment of a Life Sciences Initiative which will include a supercomputer. It was a complex but fun negotiation which was completed in record time – and that reflected the attitude of people on both sides of the negotiating table.

The amalgamation of the two groups of lawyers and the broadening of our services base is a significant change to the way legal services were provided previously in this University. This has been a challenging but successful initiative, which has been very rewarding from both a personal and professional perspective.

Every legal role has challenges reflecting the organisation and its people – in Universities it can be the competing objectives and individualism of researchers' focus, while in companies it can be the requirement that a company's interests come first, sometimes regardless of public good objectives and outcomes.

10. Do you have any final comments for research managers, either in Australia or internationally?

It's a truly exciting and diverse area to be involved in. University researchers, world-wide, undertake cutting edge research focusing on some of the world's greatest problems and questions. Increasingly they collaborate in ways that perceive no boundaries. As lawyers and professional staff, we need to be able to provide them with practical solutions to disseminate and realize the outcome of their work while still ensuring that our institutions operate ethically and within appropriate legal frameworks.