

THE CENTRE FOR INTERNATIONAL & PUBLIC LAW

PRESENTS



**The Thirteenth Annual
Public Law Weekend**

**Public Law:
Public Leadership**

31 October –1 November 2008

National Museum of Australia

Canberra ACT

The Centre for International and Public Law at the ANU College of Law, welcomes you to Canberra for the thirteenth Public law weekend.

The 2008 Public Law Weekend seeks to move forward beyond the initiative of the Government's 2020 Summit in April, in thinking about future directions for public law in Australia. In particular, it will consider how our public law institutions can be leaders in public law initiatives.

In addition, we will hear Emeritus Professor Leslie Zines's 2008 Geoffrey Sawyer lecture on *Chief Justice Gleeson and the Constitution* after the conclusion of the first day. The lecture will be presented in Professor Zine's absence by Professor Michael Coper, Dean, ANU College of Law.

CONFERENCE PROGRAM DAY 1

FRIDAY		31 October 2008
8.30-8.50am	REGISTRATION AND TEA/COFFEE Visions Theatre Foyer, National Museum of Australia	
8.50am	OPENING: Professor Kim Rubenstein, Director CIPL, ANU College of Law	
SESSION 1: PUBLIC LAW LEADERSHIP AND PARLIAMENT		
9.00-10.30am	CHAIR: <u>Professor Don Rothwell, ANU College of Law</u> Mark Dreyfus QC MP, Chair, House of Representatives Standing Committee on Legal and Constitutional Affairs <i>Constitutional Leadership</i> Professor David Marsh, Director, Research School of Social Sciences, ANU <i>From Hierarchy to Network Governance: the Case of 20/20</i> Dr Carmen Lawrence, Professorial Fellow Institute of Advanced Studies, UWA <i>Parliamentary Leadership in Times of Emergency</i>	
10.30- 11.00	MORNING TEA The Hall, National Museum of Australia	
SESSION 2: PUBLIC LAW LEADERSHIP AND THE EXECUTIVE: PART I		
11.00am - 12.30pm	CHAIR: <u>Leighton McDonald, ANU College of Law</u> Yee Fui Ng, Research Fellow, ANU College of Law <i>Australian Tribunals as World Leaders</i> Dr Geoff Airo-Farulla, State Director – Queensland, Commonwealth Ombudsman <i>The Ombudsman's Office as Public Law Leader</i> Megan Davis, Director, Indigenous Law Centre, UNSW <i>Executive Policy Leadership in the International Realm: Indigenous Issues</i>	
12.30- 2.00	LUNCH The Hall, National Museum of Australia Australian Association of Constitutional Law (AACL) AGM	
SESSION 3: PUBLIC LAW LEADERSHIP IN THE EXECUTIVE: PART II FOI AND PRIVACY AS A CASE STUDY		
2.00 - 3.30pm	CHAIR: <u>Daniel Stewart, ANU College of Law</u> Professor Les McCrimmon, Australian Law Reform Commission (ALRC) <i>The First stage of Implementation: The ALRC Privacy Report</i> Associate Professor Moira Paterson, Monash Law <i>FOI Reforms: Background Context and Possible Future Directions</i> Joan Sheedy, Assistant Secretary, Privacy and FOI Branch, Department of Prime Minister and Cabinet <i>A Progress Report on FOI and Privacy at the Commonwealth Level</i>	

CONFERENCE PROGRAM DAY 1 (continued for Friday 31 October)

3.30 - 3.45	STRETCH BREAK
SESSION 4: UPDATES	
3.45-4.45pm	<p><u>CHAIR: Matthew Zagor, The Australian National University</u></p> <p>Kathryn Graham, Senior General Counsel, Australian Government Solicitor <i>Recent Changes to Commonwealth Appropriations Legislation: Learning from Combat</i></p> <p>Benjamin O'Donnell, NSW Bar: Hickman vs Project Blue Sky: The Implications of the High Court's Decision in Commissioner of Taxation v Futuris Corporation Limited</p>
5.15-6.00pm	<p>PRE SAWER LECTURE DRINKS AND CANAPES Finkel Theatre, John Curtin School of Medical Research, ANU</p>
6.00-7.15pm	<p>ELEVENTH GEOFFREY SAWER LECTURE Emeritus Professor Leslie Zines: <i>Chief Justice Gleeson and the Constitution</i></p> <p>Presented by Professor Michael Coper, Dean, ANU College of Law</p>
7.45-10.00pm	<p>CONFERENCE DINNER VANILLA BEAN RESTAURANT John Curtin School of Medical Research (JCSMR) Garran Road ANU (see map)</p>
7.45-10.00pm	<p>VANILLA BEAN RESTAURANT, JCSMR Garran Road, Building 131, ANU, Canberra</p>

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CONFERENCE PROGRAM DAY 2

SATURDAY

1 November 2008

8.30-8.45am **REGISTRATION AND TEA/COFFEE**
Visions Theatre Foyer, National Museum of Australia

SESSION 1: PUBLIC LAW LEADERSHIP AND ACADEMIA

8.45 -10.15am

CHAIR: Professor Kim Rubenstein, ANU College of Law

Professor George Williams, UNSW, Visiting Fellow, ANU College of Law
The Move Towards a National Charter of Human Rights

Associate Professor Graeme Orr, University of Queensland
How Public?: The Media and Public Law Academics

Judge Jack Goldring, District Court of NSW
Academics as Leaders in the Judiciary

10.15-10.45am **MORNING TEA**
The Hall, National Museum of Australia

SESSION 2: UPDATES

10.45am - 12.15pm

CHAIR: Amelia Simpson, ANU College of Law

Recent Cases:

Romany Tauber, Research and Policy Officer, Northern Land Council
Blue Mud Bay: Northern Territory of Australia and Director of Fisheries (NT) v Arnhem Land Aboriginal Land Trust, Northern Land Council, Native Title Holders, Northern Territory Seafood Council and Commonwealth of Australia

Rachel Harris, Lawyer, Australian Government Solicitor
The Queen v Tang (M 79/2007)

Kevin Boreham, Lecturer, ANU College of Law
Evans v State of New South Wales [2008] FCAFC 130 (15 July 2008): Presumption against interference with fundamental rights and freedoms

12.15-12.30pm **STRETCH BREAK**

SESSION 3: PUBLIC LAW LEADERSHIP IN THE COURTS

12.30-1.45PM

CHAIR: Simon Rice, ANU College of Law

Claire Harris, Victorian Bar
The Role of Amicus as a Form of Leadership?

Ernst Willheim, Visiting Fellow, ANU College of Law
An Amicus Experience in the High Court

Dr Heather Roberts, Lecturer, ANU College of Law
The Place of 'Swearing-in Speeches' as Indicators of Leadership

1.45pm **CLOSE OF CONFERENCE**