



2011 NATIONAL ADMINISTRATIVE LAW CONFERENCE

Democracy, participation and administrative law

THURSDAY 21 & FRIDAY 22 JULY, 2011

**HOTEL REALM
18 NATIONAL CIRCUIT, BARTON
CANBERRA, ACT, AUSTRALIA**

The 21st National Administrative Law Conference will explore the links between representative democracy, participation and administrative law, and consider significant recent developments in Australian administrative law.

The Conference will involve a mixture of practical sessions, and more reflective thought-provoking presentations.

The Conference will be relevant to government decision-makers, their advisers, and those affected by their decisions, review bodies, policy developers and public lawyers, as well as academics and others with an interest in Australian administrative law.

Attendance at the whole of the Conference will attract 10 points under the ACT mandatory continuing professional development scheme for lawyers.

Thursday 21 July 2011

- 12.00pm Registration and arrival tea and coffee
- 1.00pm Welcome—Robert Orr QC, President, AIAL
- 1.15pm **Plenary Session 1 Opening Address**
Debbie Mortimer SC, Melbourne Chambers, Melbourne
- 2.00pm **Plenary Session 2: Elections and administrative law**
Dr Graeme Orr, University of Queensland
Paul Pirani, Chief Legal Officer, Australian Electoral Commission
- 3.15pm Afternoon tea
- 3.45pm **Concurrent Sessions 1**
- Stream 1.1: **Electronic records**
Corporatisation and electronic records: on a collision course with administrative justice? Sven Bluemmel, Western Australian Information Commissioner
The use of electronic devices in elections under German electoral law:
Professor Jurgen Brohmer, University of New England
- Stream 1.2: **State initiatives**
QCAT hybrid conferencing processes: ADR and case management:
The Hon Justice Alan Wilson, President, Queensland Civil and Administrative Tribunal
Have you heard from South Australia? How the absence of a general merits review tribunal in SA both measures and impedes public engagement and participation in administrative decision-making: Dr Susannah Sage Jacobson, Flinders University
- Stream 1.3: **Judicial review**
Judicial review of Commonwealth environmental decisions: Dr Andrew Edgar, University of Sydney
The role of 'jurisdictional error' in State administrative law after Kirk v Industrial Court of NSW: Benjamin O'Donnell, New South Wales Bar
- Stream 1.4: **Freedom of information**
Commonwealth FOI: Dr James Popple, Australian Freedom of Information Commissioner
Extending FOI to the private sector—accountability strikes back or a bridge too far?:
Avinesh Chand, Clayton Utz
- 5.00pm **Plenary Session 3 AIAL National Lecture**
The Hon Patrick Keane, Chief Justice of the Federal Court of Australia
- 6.00pm Conference Drinks
Venue: Melbourne Room, Hotel Realm
- 7.00pm Conference Dinner and Administrative Law Trivia Quiz
Venue: National Ballroom, Hotel Realm

Friday 22 July 2011

- 8.00am Arrival tea and coffee
- 9.00am **Plenary Session 4: The role of independent policy bodies**
Gary Banks AO, Chair of the Productivity Commission
Colin Neave AM, President, Administrative Review Council
- 10.15am Morning tea
- 10.45am **Concurrent Sessions 2**
- Stream 2.1: **Participation**
The administrative state and participatory decision making: empirical insights from the new environmental governance: Dr Cameron Holley, Macquarie University
- Stream 2.2: **Human rights**
The role of human rights in government decision making and review:
Joanna Davidson, Victorian Government Solicitor's Office
- Stream 2.3: **Reasons**
When is an administrative decision maker obliged to provide reasons? Developments since Osmond's case: Michael Wait, Crown Solicitor's Office, South Australia
- Stream 2.4: **Economic regulation**
Does the availability of merits review help or hinder the desired operation of economic regulation?: Katrina Groshinski, Minter Ellison
- 11.45am **Plenary Session 5: Judicial review and democracy**
Dr Margaret Kelly, Macquarie University
Dr Damian O'Leary, Counsel assisting the Commonwealth Solicitor-General
- 1.00pm Lunch
- 2.00pm **Plenary Session 6: Parliamentary Committees**
Daryl Melham MP, Member for Banks, Chair of the Joint Standing Committee on Electoral Matters
Stephen Argument, Lawyer, Canberra
- 3.15pm **Plenary Session 7: Future directions**
The Hon Justice Garry Downes AM, President, Administrative Appeals Tribunal
Elizabeth Kelly, Deputy Secretary, Commonwealth Attorney-General's Department
Allan Asher, Commonwealth Ombudsman
- 4.15pm Closing Comments
- 4.30pm Close

Note: Copies of the Conference proceedings will be provided to delegates at the conclusion of the Conference.