

2012 NATIONAL ADMINISTRATIVE LAW CONFERENCE



Integrity in Administrative Decision Making THURSDAY 19 & FRIDAY 20 JULY 2012

In 2004 Chief Justice Spigelman delivered the AIAL National Lecture Series about the fourth branch of government, the integrity branch. This Conference will provide an opportunity to consider the concept of the integrity branch, the institutions that constitute it and its health in 2012. In addition to addressing these and related topics the Conference will also review the state of administrative law in the Commonwealth, States and Territories.

**NATIONAL WINE CENTRE
CORNER OF BOTANIC AND HACKNEY ROADS
ADELAIDE, SOUTH AUSTRALIA**

Attendance at the Conference may attract 1 CPD point per hour of attendance at Conference sessions under the South Australian continuing professional development scheme for lawyers.

Thursday 19 July 2012

12.00pm Registration and arrival tea and coffee

1.00pm Welcome: Mr Greg Parker, Crown Solicitor, South Australia

1.05pm **Opening Address**

Hon John Rau MP, Attorney-General, South Australia
Integrity branch developments in South Australia

1.30pm **Panel Session: The Integrity Branch**

Panelists: **Professor Robin Creyke, Senior Member, Administrative Appeals Tribunal**
Concept of the integrity branch
Dr David Solomon AM, Queensland Integrity Commissioner
What is the integrity branch?
Professor AJ Brown, Griffith Law School, Griffith University
Health of the integrity branch

2.45pm Afternoon tea

3.15pm **Concurrent Session 1**

Stream 1: **Mr Chris Wheeler, Deputy Ombudsman, New South Wales**
Review of administrative conduct and decisions in NSW since 1974—an ad hoc incremental approach to radical change

Stream 2: **Mr Joseph Wenta, Newcastle Law School**
The integrity branch of government and the separation of judicial power

Stream 3: **Ms Lisa Burton, Gilbert +Tobin Centre of Public Law, University of NSW**
The role of the integrity branch in the national security context: A case study of ASIO's special powers

Stream 4: **Mr David Yarrow, Victorian Bar**
Integrity in administrative decision making

4.15pm **Plenary Session 1: Jurisdictional Facts and the Malaysian Solution**

Ms Debbie Mortimer SC, Victorian Bar

Professor John McMillan AO, Australian Information Commissioner

5.30pm **2012 AIAL National Lecture**
Hon Justice William Gummow AC, High Court of Australia
Chair: Hon John Doyle, Chief Justice, Supreme Court of South Australia

6.15pm for 7.00 pm Pre dinner drinks and conference dinner
Venue: Hickinbotham Hall, National Wine Centre

Dinner Speaker: Senator Nick Xenophon, Senator for South Australia

Friday 20 July 2012

8.30am Registration and arrival tea and coffee

9.00am **Plenary Session 2: Integrity of Institutions Under State Constitutional Law**

Hon Justice Chris Kourakis, Supreme Court of South Australia

Professor Geoffrey Lindell, University of Adelaide

Commentator: Mr Stephen Gageler SC, Commonwealth Solicitor-General

10.15 am **Concurrent Session 2**

Stream 1: Ms Julie Kinross, Information Commissioner, Queensland
"Get off the couch!" - The transmission of the public value of transparency through independent merits review, Queensland style

Stream 2: Mr Chad Jacobi, Crown Solicitor's Office, South Australia
How ethical duties of the public lawyer are defined by the constitution and structure of government

Stream 3: Mr Chris Field, Ombudsman, Western Australia
The fourth branch of government: the evolution of integrity agencies and enhanced government accountability

Stream 4: Mr Richard Hooker, Western Australian Bar
Integrity at the coalface: judicial review of independent merits reviews after M61

11.15am Morning tea

11.45am **Plenary Session 3: Human Rights and Law and Decision Making**

Mr Robert Orr QC, Chief General Counsel, Australian Government Solicitor

Ms Joanna Davidson, Special Counsel, Victorian Government Solicitor's Office

1.00pm Lunch

2.00pm **Plenary Session 4: Integrity and Local Government: Bias and By-Laws**

Associate Professor Matthew Groves, Faculty of Law, Monash University

Professor Dennis Pearce AO, ANU College of Law

Commentator: Mr Richard Bingham, Ombudsman, South Australia

3.15pm **Panel Discussion: Integrity Across Different Kinds of Decision Making**

Panelists: Mr Bruce Barbour, Ombudsman, New South Wales
Judge Susanne Cole, Senior Judge, ERD Court, South Australia
The Hon Justice Duncan Kerr Chev LH, President of the Administrative Appeals Tribunal

4.15pm Closing comments

Mr Robert Orr QC, President of AIAL

4.30pm Conference closes

Registration form

2012 National Administrative Law Conference 19—20 July 2012
Australian Institute of Administrative Law Inc ABN:7 054 164 064
Taxation Invoice

Delegate Details:

Name: _____

Organisation: _____

Postal Address: _____

Phone: _____

Email: _____

Registration Fees:

- \$700 AIAL members (includes GST)
 \$780 non members (includes GST)
 \$620 Group bookings (each for 3 or more from the same organisation) (includes GST)
 \$400 Community groups and full-time academics (includes GST)

Please indicate which concurrent sessions you will be attending:

- Stream 1: Mr Chris Wheeler, Deputy Ombudsman, New South Wales *OR*
 Stream 2: Mr Joseph Wenta, Newcastle Law School *OR*
 Stream 3: Ms Lisa Burton, Gilbert +Tobin Centre of Public Law, University of NSW *OR*
 Stream 4: Mr David Yarrow, Victorian Bar

AND

- Stream 1: Ms Julie Kinross, Information Commissioner, Queensland *OR*
 Stream 2: Mr Chad Jacobi, Crown Solicitor's Office, South Australia *OR*
 Stream 3: Mr Chris Field, Ombudsman, Western Australia *OR*
 Stream 4: Mr Richard Hooker, Western Australian Bar

Payment Details:

- Please find enclosed cheque payable to the Australian Institute of Administrative Law, or
 Please debit my credit card as follows: Visa Mastercard Amex

Card Number:

Expiry Date: ____ / ____

Amount authorised: \$ _____

Name & phone number of signatory: _____

Signature: _____

Please indicate below if you will be attending the Social functions (price included in the registration fee for conference delegates):

Conference Drinks and Dinner:

- Yes No

Delegates are welcome to bring additional guests to the Conference Drinks and Dinner at a cost of \$135 per head (including complimentary registration for the 2012 National Lecture):

No. of additional guests attending 2012 National Lecture, Conference Drinks and Dinner: _____

Dietary requirements: _____

Additional guest's name/s: _____

Registrations close 11 July 2012

www.aial.org.au

How to Register

To register, complete the registration form and payment details and return by **11 July 2012 to:**

Mail: Australian Institute of Administrative Law
PO Box 83
DEAKIN WEST ACT 2600

Fax: 02 6290 1580

Email: aial@commercemgt.com.au

Delegates will receive a confirmation email confirming their registration details.

All enquires should be directed to:

AIAL National Secretariat
Ph: 02 6290 1505
Email: aial@commercemgt.com.au

Terms and Conditions

1. "AIAL Members" are current financial members of the AIAL.
2. All prices are stated in Australian Dollars (\$AUD) and include GST. Payments must be made in Australian dollars.
3. Cancellations must be submitted in writing to aial@commercemgt.com.au prior to COB Wednesday 11 July 2012 and will incur an administrative fee of \$55.00 (incl. GST). No refunds will be provided after 12 July 2012.
4. AIAL reserves the right to amend any part of the conference program or event should it be necessary. If amendments are made to the program, an updated copy of the Conference program will be available on the AIAL website at www.aial.org.au

Displays at the conference

Do you have an administrative law program or activity that would be appropriate for a display at the Conference? The Institute welcomes displays from government agencies, tribunals, academic institutions and law firms.

For more information, contact the AIAL Secretariat on 02 6290 1505 or email aial@commercemgt.com.au

Conference venue

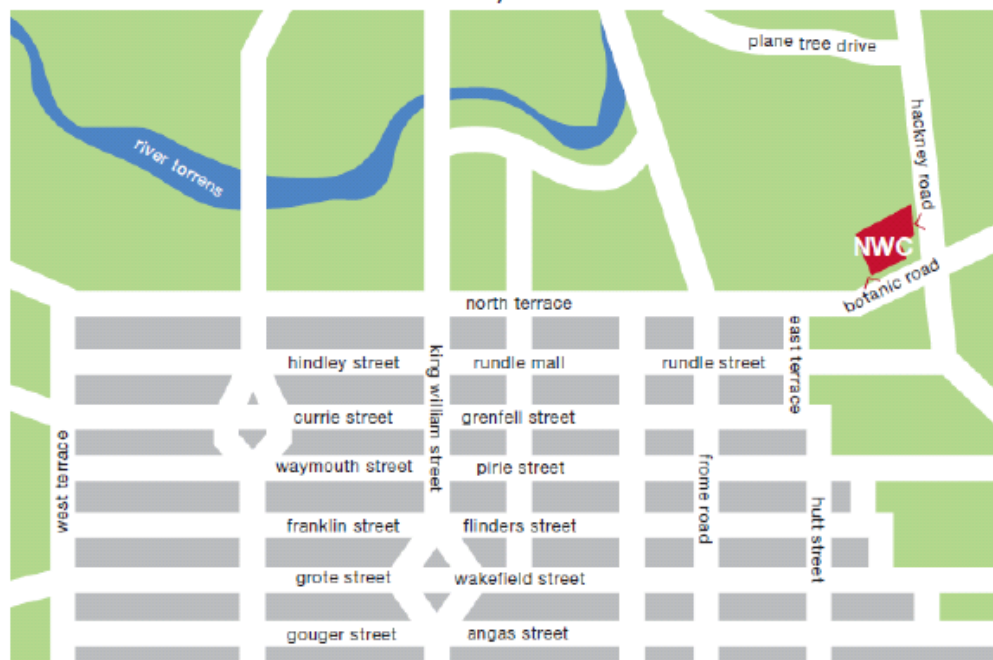
The National Wine Centre of Australia is an architectural treat situated on the edge of the Adelaide's stunning Botanic Gardens. The Centre provides a superb venue for events and is an exciting tourism venue which showcases the entire Australian wine industry.

Visitors can enjoy wine and winemaking from the ground up with the interactive Wine Discovery Journey and Exhibition which showcases the complete wine experience.

The National Wine Centre is easily accessible by public transport.

More information on the National Wine Centre can be found at www.wineaustralia.com.au

Located on the outskirts of the city near the Adelaide Botanic Gardens



Car Parking

Parking is available along Hackney Road and Plane Tree Drive after the first Parking Bay and charges will apply.

Accommodation information

Below is a list of accommodation options which are located near the Conference venue for your convenience. Delegates wishing to book into either of the below options are asked to quote the "National Wine Centre" at the time of booking to secure a reduced accommodation rate.

- Crowne Plaza, 16 Hindmarsh Square, Adelaide.
Phone: 08 8206 8888; www.crowneplazaadelaide.com.au
- Majestic Roof Garden Hotel, 55 Frome Street, Adelaide
Phone: 08 8100 4400; www.majestichotels.com.au