

2015 AIAL National Administrative Law Conference

Administrative Law - Challenges of a New Age *Balancing fairness with efficiency and national security*

Thursday 23 and Friday 24 July 2015

QT Canberra, 1 London Circuit Canberra, Australian Capital Territory



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Australian public law is a dynamic and constantly evolving area. The need to maintain accountability and transparency in light of recent smaller government and deregulation agendas, affording procedural fairness while giving weight to national security and financial efficiency considerations and the emerging and changing uses of technology. Each present challenges for the practice of administrative law

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

Thursday 23 July 2015

12.00pm Registration and arrival tea and coffee

1.00pm Welcome

1.15pm Plenary Session 1: National Security

Presenters: **Dr Vivienne Thom**, Inspector-General of Intelligence and Security

Bret Walker SC, Barrister, New South Wales Bar and former Independent National Security Legislation Monitor

2.15pm Concurrent Session 1

Stream 1.1	Stream 1.2	Stream 1.3
James Forsaith , Barrister, Victorian Bar Illogicality by any other name: the High Court's decision in FTZK, and how to use it.	Dr Robin Bowley , University of Technology Sydney The intersection of administrative and corporate law: Examining the reasoning of the AAT and the courts in adjudicating challenges to ASIC disqualification and banning decisions	Chris Wheeler , Deputy Ombudsman, NSW Availability of administrative justice options in light of privatisation of government services

3.15pm Afternoon tea

3.45pm Concurrent Session 2

Stream 2.1	Stream 2.2	Stream 2.3
Yee Fui Ng , RMIT University Tensions in the regulation of the executive, focusing on ministerial advisers	Eden Bird , Associate, McInnes Wilson Lawyers Everything old is new again: historical origins and future directions of the supervisory jurisdiction	Carolyn Adams and Danielle Moon , Macquarie University Too much of a good thing? Balancing transparency and efficiency in FOI

5.00pm Plenary Session 2: National Lecture on Administrative Law

The Honourable Justice Robert French AC, Chief Justice, High Court of Australia

6.00pm Conference Drinks

7.00pm Conference Dinner (featuring Shortis and Simpson)

Friday 24 July 2015

6.45am **Active Start:** Short Lake Burley Griffin walks for interested delegates

8.00am Registration and arrival tea and coffee

9.00am Plenary Session 3: Keynote Address

Presenter: **Senator, the Honourable Concetta Fierravanti-Wells**, Parliamentary Secretary to the Attorney-General.

9.45am Plenary Session 4: Access to justice

Presenters: **Dr Warren Mundy**, Commissioner, Productivity Commission

Simon Cohen, Telecommunications Industry Ombudsman

Chair and Commentator:

Colin Neave, AM Commonwealth Ombudsman

10.45am Morning tea

11.00am Concurrent Session 3

Stream 3.1 Colin Neave, AM Commonwealth Ombudsman The Commonwealth Ombudsman—future vision	Stream 3.2 Dr Rayner Thwaites , Sydney University Procedural fairness as empty?
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12.00pm Plenary Session 5: Tribunal amalgamation

Presenters: **Linda Crebbin**, President, ACT Civil & Administrative Tribunal

Robin Creyke, Professor, Australian National University

1.00pm Lunch

2.00pm Concurrent Session 4

Stream 4.1 Grant Hooper , PhD Candidate, UNSW From the Magna Carta to Bentham to modern Australian judicial review: themes of practicality and spirituality	Stream 4.2 Kath McEvoy , Adelaide University and Dr Susannah Sage-Jacobson , Flinders University The new South Australian CAT – gains or losses in access to justice?	Stream 4.3 Daniel De Sousa , Consultant, Public Law, Maddocks Is a risk-based approach appropriate when regulating matters affecting our national security?
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3.00pm Plenary Session 6: Data collection / surveillance (panel)

Presenters will include:

Timothy Pilgrim, Federal Privacy Commissioner

David Vaile, Co-convenor, Cyberspace Law and Policy Community, UNSW Law

John Hilvert, Journalist ITNews & Australian Defence Magazine

Chair and Commentator:

Professor John McMillan, AO

4.15pm Closing comments

4.30pm Conference close

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, publishers and law firms.

Conference venue and transport information

The QT Hotel is located 1 London Circuit, Canberra ACT 2601. QT Canberra is minutes from the New Acton precinct (restaurants, cafes and bars), the Australian National University and the National Film & Sound Archive. It is a short walk from the centre of Civic.



Delegates who are not staying at the hotel can park across the road on London Circuit for approx. \$12.00 per day. These spaces are also subject to availability.

There are a number of bus stops close to the hotel. For route and timetable details see: <http://www.action.act.gov.au/>

Accommodation information

A limited number of rooms have been secured at the QT Hotel. To make a reservation and to access the special conference rate, please contact reservations on 02 6247 6244 and quote the AIAL National Forum Code: R-2307LAW .

QT Room rates: Standard queen room \$195.00 per room, per night including breakfast for 1 person.

Below is a list of alternative accommodation options:

- Hyatt Hotel Canberra,
Phone: 02 6270 1234 ; www.canberra.park.hyatt.com
- Breakfree Capital Tower
Phone: 132 007 (AUST); capitaltower.res@breakfree.com.au
- Peppers Gallery Hotel
Phone: 02 6175 222; www.peppers.com.au/gallery
- Hotel Hotel
Phone: 02 6287 6287; <http://www.hotel-hotel.com.au/>
- University House ANU
Phone: 02 61255275 /276 : <http://unihouse.anu.edu.au/>
Room Rates: Single room \$101.00 per night : Twin \$146.00 per night : Queen/Twin Superior Suite \$156.00 per night

2015 AIAL National Administrative Law Conference 23 - 24 July 2015

Australian Institute of Administrative Law Inc (ABN:97 054 164 064)

Delegate Details:

Name: _____

Organisation: _____

Postal Address: _____

Phone: _____ Email: _____

Registration Fees:

- ☐ \$760 AIAL members (includes GST)
- ☐ \$860 non members (includes GST)
- ☐ \$670 Group bookings (each for 3 or more from the same organisation) (includes GST)
- ☐ \$440 Community groups and full-time academics (includes GST)

Please indicate which concurrent sessions you will be attending

Thursday 23 July	And	Friday 24 July	And
<input type="checkbox"/> Stream 1.1: OR	<input type="checkbox"/> Stream 2.1: OR	<input type="checkbox"/> Stream 3.1: OR	<input type="checkbox"/> Stream 4.1: OR
<input type="checkbox"/> Stream 1.2: OR	<input type="checkbox"/> Stream 2.2: OR	<input type="checkbox"/> Stream 3.2: OR	<input type="checkbox"/> Stream 4.2: OR
<input type="checkbox"/> Stream 1.3	<input type="checkbox"/> Stream 2.3		<input type="checkbox"/> Stream 4.3

Payment Details:

☐ Please find enclosed **cheque** payable to the Australian Institute of Administrative Law☐ Please debit my **credit card** as follows: ☐ Visa ☐ MastercardCard Number:

Expiry Date: ____/____

Amount authorised: \$_____

Name & phone number of signatory: _____

Signature: _____

☐ **EFT:** Payment of \$_____ has been made by direct deposit to: (reference: your initial and family name)

Bank: St George

A/c Name: AIAL

BSB: 112908

A/c No: 040024525

Please indicate below if you will be attending the **Social functions** (included in the registration fee for conference delegates):Conference Drinks and Dinner: ☐ Yes ☐ No

The 2015 AIAL National Lecture is open to the public. Delegates are welcome to bring additional guests to the Conference Drinks and Dinner at a cost of \$120.00 per head:

Number of additional guests attending the Conference Drinks and Dinner: _____

Additional guest names : _____

Dietary requirements: _____

Registrations close 16 July 2015

How to Register

To register, complete the registration form and payment details and return by **16 July 2015 to:**

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

Fax: 02 6290 1580

Email: aial@commercemgt.com.au

Please note: Conference papers which are available will be sent by email following the Conference. Some papers will be published in the *AIAL Forum* at a later date.

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 15 July 2015 and will incur an administrative fee of \$55.00 (incl. GST). No refunds will be provided after 16 July 2015.
4. AIAL reserves the right to amend any part of the Conference program. 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.