

2018 AIAL National Administrative Law Conference

Administrative Law in the 21st Century and Beyond

Thursday 27 and Friday 28 September 2018

UNSW Law School, University of New South Wales
Kensington, Sydney, NSW, Australia



UNSW Law School, Kensington, NSW

The aim of the Conference is to provide those involved or interested in Australian administrative law with the opportunity to discuss contemporary issues, share practical experiences and consider future developments. The 2018 Conference will be hosted by the NSW Chapter of the Institute.

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 27 September 2018

9.45am Registration and arrival tea and coffee—Ground Floor, UNSW Law Building

10.30am Welcome

11.00am Plenary Session 1 – Keynote Address – Judicial Review – Can we abandon grounds?

Chair **The Hon Mark Speakman SC MP**, Attorney-General of NSW

Speaker **The Hon Justice John Basten**, NSW Court of Appeal

12.00pm Plenary Session 2 – National Integrity Commission

Panel Chair **Associate Professor Gabrielle Appleby**, UNSW Law

Speakers **The Hon Stephen Charles AO QC**, former Judge, Victorian Court of Appeal

The Hon Michael Murray AM QC, Parliamentary Inspector of the Corruption and Crime Commission of WA

1.00pm Lunch

2.00pm Plenary Session 3 – The Constitutionalisation of Administrative Law

Panel Chair **Dr Janina Boughey**, Senior Lecturer, UNSW Law

Speakers **Dr Lisa Burton Crawford**, Senior Lecturer, UNSW Law

Dr Grant Hooper, Lecturer in Administrative Law and Public Law, University of Sydney Law School

James Forsaith, Barrister, Greens List Barristers, Melbourne

3.00pm Afternoon Tea

3.30pm Plenary Session 4 – The Limits of Administrative Law

Panel Chair **The Hon Justice Rachel Pepper**, Land and Environment Court of NSW

Speakers **The Hon. Ron Merkel QC**, Barrister, Victorian Bar

Sue Higginson, Solicitor, former Director Environmental Defender's Office Ltd

Professor Mary Crock, Professor of Public Law, University of Sydney Law School

Professor Mark Aronson, Emeritus Professor of Law, UNSW Law

5.00pm Plenary Session 5 – National Lecture on Administrative Law

The Hon Margaret Beazley AO, President, NSW Court of Appeal

6.00pm Conference Drinks Tyree Room in the Scientia Building of UNSW

7.00pm Conference Dinner Scientia Foyer in the Scientia Building of UNSW

Dinner Speaker **Deborah Glass OBE**, Victorian Ombudsman

Friday 28 September 2018

9.00am Plenary Session 6 – The New Frontier of Administrative Law – The NDIS

Panel Chair **Lauren Butterly**, Lecturer, UNSW Law

Speakers **James Constance**, Deputy President, Administrative Appeals Tribunal

Jackie Finlay, Senior Solicitor, Civil Law Division, Legal Aid NSW

Dr Darren O'Donovan, Senior Lecturer, La Trobe Law School

Emeritus Professor Ron McCallum AO, University of Sydney Law School

10.00am Concurrent Session

Stream 1.1 Human Rights and Families in Administrative Law

Moderator **Lauren Butterly**, Lecturer, UNSW Law

Speakers **John Croker**, Projects Manager, Human Rights Unit, Department of Justice & Regulation Victoria: *Strengthening Human Rights Considerations in Government Decision Making in Victoria*

Peter Sutherland, Convenor, Legal Aid Clinic, ANU School of Legal Practice: *Members of a Couple in Australian Social Security Law*

Dr Chantal Bostock, Teaching Fellow, UNSW Law: *Expulsion: A Comparative Study of Australia and France*

Stream 1.2 International Law and Administrative Law

Moderator **Dr Sangeetha Pillai**, Senior Research Associate UNSW Law

Speakers **Dr Andrew Edgar**, Associate Professor, University of Sydney Law School & **Dr Rayner Thwaites**, Senior Lecturer, University of Sydney Law School : *Implementing Treaties in Domestic Law: Translation, Enforcement and Administrative Law*

Dr Oscar Roos, Senior Lecturer, School of Law, Deakin University: *The UN Committee Against Torture and GLBTIQ Asylum-seekers: Will the Committee's Recent Jurisprudence have an Impact on Australian Refugee Law?*

Stream 1.3 Technology Data and Administrative Law

Moderator **Andrew Carter**, Partner, Ashurst Australia

Speakers **Mark Robinson SC**, Barrister, Maurice Byers Chambers & **Juliet Lucy**, Barrister, Tenth Floor Chambers: *Fact-finding in the 21st Century and Beyond*

Peter Papadopoulos, Accredited Specialist in Immigration Law: *Digital Transformation and Visa Decisions: an insight into the promise and the pitfalls*

11.15am Morning tea

Moderator **The Hon Justice Rachel Pepper**, Land and Environment Court of NSW

11.45am Plenary Session 7: Future Challenges for Administrative Law

Speakers **Kristen Walker QC**, Solicitor-General for Victoria

Dr Stephen Donaghue QC, Solicitor-General of Australia

12.45pm Conference Close; delegates are invited to stay for lunch

1.00pm Lunch

Displays at the Conference

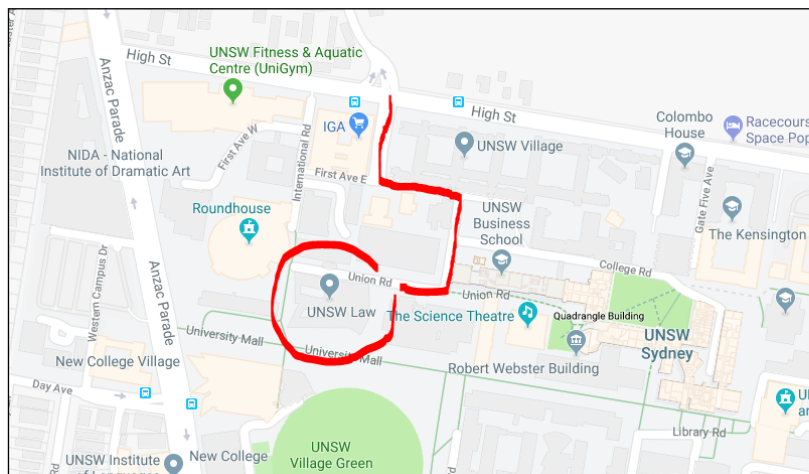
Do you have an Administrative Law program or activity that would be appropriate for a display at the Conference? The Institute welcomes displays from Government agencies, Tribunals, academic institutions, publishers and law firms.

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

Conference Venue and Transport Information

UNSW Law at the University of New South Wales is located at the main UNSW campus of 38 hectares at Kensington, only seven kilometres from Sydney's central business district. It is easily accessible from the city and the many nearby seaside suburbs.

The Law School is housed in the Law Building (Building F8), located on the University Mall at the University's main Kensington campus. - enter via Gate 2, High Street, Kensington.



UNSW is very well served by public transport . With nearly 1,700 UNSW Express Bus services per week the campus is easy to get to via public transport no matter where you are travelling from. The full complement of transport options, depending on your original location, include cycling, walking, driving, bus, train and ferry services.

Transport options from Coogee Beach:

Walk: It takes about 40 minutes to walk from Coogee Beach to the Law Building. It is a pleasant walk but it does involve a large hill. Walk all the way up Coogee Bay Road, and then down High Street.

Bus: The 370 bus runs from Coogee beach up Coogee Bay Road to UNSW. There are two stops on the UNSW campus - one on upper campus and a second one on lower campus. We recommend you wait for the second stop as that is closer to the Law Building. You should give yourself 20 minutes for the bus trip (it is a bit longer than usual due to some diversions for light rail works).

Taxis will take under 10 mins to get from Coogee up to UNSW. Suggest to the taxi driver that they drop you on the Barker Street side of campus near Gate 14 to avoid the diversions for light rail works.

Accommodation Information

There is a wide range of accommodation options available within easy distance of the UNSW Kensington Campus, particularly in the Coogee and Randwick areas.

2018 AIAL National Administrative Law Conference 27 - 28 September 2018

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

NOTE: Registrations can be made online via Sticky Tickets <https://www.stickytickets.com.au/73554> or by completing and returning this form.

Delegate Details:

Name: _____

Organisation: _____

Postal Address: _____

Phone: _____ Email: _____

Please indicate which concurrent session you would like to attend on Friday, 28 September 2018:

- ☐ Stream 1.1: *Human Rights and Families in Administrative Law*; OR
☐ Stream 1.2: *International Law and Administrative Law*; OR
☐ Stream 1.3: *Technology, Data and Administrative Law*.

Registration Fees: (please tick as appropriate)

*Note: Conference Dinner is **not** included in the Registration Fee for delegates for this Conference. Please select the box below and add the cost to your Registration Fee if you wish to attend the Dinner.*

- ☐ \$760 AIAL members (includes GST)
☐ \$860 Non members (includes GST)
☐ \$670 Group bookings (each for 3 or more from the same organisation) (includes GST)
☐ \$430 Community groups and full-time academics (includes GST)
☐ \$ 60 Concession & Full Time Students (ID required) (includes GST)
☐ \$ 90 Conference Dinner (includes GST)

Payment Details (if not registering via Sticky Tickets):

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

Card Number:

Expiry Date: _____ / _____ CVV _____ 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

The **2018 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 \$90.00 per head:

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

Additional guest names : _____

Dietary requirements: _____

Please provide registrations by close of business on Wednesday 19 September 2018

How to Register

Register online via the Sticky Tickets link below, or complete the Registration Form and payment details and return to the AIAL Secretariat.

Registration deadline: **Wednesday 19 September 2018.**

Online: Sticky Tickets <https://www.stickytickets.com.au/73554>

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

Email: aial@commercemgt.com.au

Fax: 02 6290 1580

Delegates will receive confirmation of their registration and payment.

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.

CLE/CPD points are available if this educational activity is relevant to your immediate or long term needs in relation to your professional development and practice of the law. Please contact your local Law Society for further details.

WA practitioners should contact the AIAL WA Chapter Secretary for details of the WA CPD point allocation for each session.

Inquiries: All inquiries should be directed to:

AIAL National Secretariat

Phone: 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 Tuesday 18 September 2018 and will incur an administrative fee of \$60.00 (incl. GST). No refunds will be provided after Wednesday 19 September 2018.
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.