

**The Samuel Griffith Society**  
**Twenty-first Conference**  
**Adelaide, 28-30 August, 2009**

**Friday, 28 August, 2009**

- 6.45 pm      Registration and Drinks
- 7.30 pm      **Dinner:** Chairman: Sir David Smith, KCVO, AO
- Professor Ivan Shearer AM, RFD *The Australian Bill of Rights Debate:  
the International Law Dimension*

**Saturday, 29 August, 2009**

- 8.30 am      Registration (for those unable to attend the opening Dinner)
- 8.50 am      Conference Opening Remarks: Julian Leeser

**Session 1: Bills of Rights**

**Chairman:** Ben Davies

- 9.00 am      Hon John Hatzistergos MLC *Parliamentary Will vs Statutory Bill: the important  
role of legislatures in progressive social change*
- 9.30 am      Discussion
- 9.45 am      Hon Christian Porter MLA *The Brennan Committee*
- 10.15 am     Discussion
- 10.30 am     Miranda Devine *Human Rights Bureaucracies*
- 11.00am      Discussion
- 11.15am      Morning Tea

**Session 2: Federalism**

**Chairman:** Hon Ian Callinan AC, QC

- 11.45 am      Dr David Bennett AC, QC *Federalism, Chapter III and the  
Commonwealth Solicitor-General*
- 12.15 pm      Discussion
- 12.30 pm      Bryan Pape *Pape v Commissioner of Taxation  
and the Commonwealth of Australia*
- 1.00 pm      Discussion
- 1.15 pm      Lunch
- 2.30pm      Professor Jonathan Pincus *Mutual Recognition and Regulatory Competition.*

3.00pm Discussion

3.15pm Afternoon tea

### **Session 3: South Australia's Upper House**

**Chairman:** Bob Day AO

3.45 pm Professor Scott Prasser *The Virtues of Upper Houses*

4.15 pm Discussion

4.30 pm Adjourned

### **Free Time**

7.00 pm **Drinks**

7.30 pm **Dinner:** Chairman: Sir David Smith, KCVO, AO

**Address:** Professor James Allan, *The Magical Powers of Judges and University Administrators*

### **Sunday, 30 August, 2009**

#### **Occasional Note**

**Chairman:** John Stone

9.15am John Nethercote *Referendum Majorities*

### **Session 3: South Australia's Upper House (Continued)**

**Chairman:** Bob Day AO

9.30 am Professor Dean Jaensch AO: *The Attack on South Australia's Democracy?*

10.00 am Discussion

10.15 am Morning Tea

### **Session 4: Judicial Appointments**

**Chairman:** Professor David Flint AM

10.45 am Hon Bruce DeBelle QC *Judicial Appointments: the Case for Reform*

11.15 am Discussion

11.30 am Alan Anderson *How Judicial Appointments Reform threatens our Democracy*

12.00 noon Discussion

12.15 pm Concluding Remarks: Sir David Smith, KCVO, AO

12.25pm Conference Concludes.

## Twenty-first Conference: List of Speakers

**Professor James Allan:** Canadian by birth, Professor Allan has worked at the Bar in London and taught Law in New Zealand, Hong Kong, Canada and the USA before taking up his present Chair as Garrick Professor of Law at the University of Queensland.

**Alan Anderson** is a Melbourne-based lawyer. He previously practised law with Allens Arthur Robinson, and was a regular opinion columnist in *The Sydney Morning Herald*. He was a senior adviser to Treasurer Peter Costello and Attorney-General Philip Ruddock.

**Dr David Bennett AC, QC** was the Commonwealth Solicitor-General (1998-2008). He is a former President of the New South Wales and Australian Bar Associations, the Medico-Legal Society of New South Wales and the Australian Academy of Forensic Sciences.

**Hon Bruce DeBelle QC** is a retired judge of the Supreme Court of South Australia. He is a former President of the Law Society of South Australia, Vice President of the Law Council of Australia and Commissioner of the Australian Law Reform Commission. Prior to his retirement he was Chairman of the Judicial Conference of Australia.

**Miranda Devine** is an opinion columnist with *The Sydney Morning Herald* and *The Sun Herald*. She was previously an assistant editor, columnist and reporter on *The Daily Telegraph* and a feature writer on *The Boston Herald*.

**Hon John Hatzistergos MLC** is the NSW Attorney-General and Minister for Industrial Relations. A barrister in 1999 he was elected as a Labor Member of the NSW Legislative Council. He has served as Minister in a range of portfolios including Health and Justice.

**Professor Dean Jaensch AO** is Professor of Politics at Flinders University. He is the author and co-author of more than 20 books, and of numerous chapters and articles, mainly on themes of Australian politics. His major research interests include political history, institutions, political parties, electoral matters, State and local government.

**John Nethercote** worked for a range of Commonwealth agencies including the Royal Commission on Australian Government Administration, and the Defence Review Committee. He has written, edited or co-edited a range of books on politics and public administration including, most recently, *Restraining Elective Dictatorship: The Upper House Solutions?*

**Bryan Pape** is a barrister and Senior Lecturer in Law at the University of New England. Earlier this year he brought a case unsuccessfully challenging the Commonwealth's power to make stimulus payments. His argument was based on a paper previously presented to SGS.

**Professor Jonathan Pincus** is Visiting Professor in the School of Economics at the University of Adelaide. He has been a Fellow of the Institute of Advanced Studies, Australian National University and held chairs at Flinders University and the University of Adelaide.

**Hon Christian Porter MLA** is the Western Australian Attorney-General and Minister for Corrective Services. Prior to being elected to the State Parliament in 2008 he was a Senior Lecturer at the University of Western Australia and a Senior State Prosecutor in the Office of the DPP (WA).

**Professor Scott Prasser** is the inaugural Executive Director of the Public Policy Institute at the Australian Catholic University. Prior to joining ACU he held senior academic positions across a number of universities in Queensland and New South Wales. With Nicholas Aroney and John Nethercote he edited *Restraining Elective Dictatorship: The Upper House Solutions*.

**Professor Ivan Shearer AM, RFD** is Emeritus Professor of Law, University of Sydney, Adjunct Professor of Law at the University of South Australia, former Challis Professor of International Law, Judge ad hoc at the International Tribunal for the Law of the Sea, a former member (2001-2008) and Vice President (2006-2008) of the UN Human Rights Committee and a Past President of the Australian Branch of the International Law Association.