

GILBERT + TOBIN CENTRE OF PUBLIC LAW NEWSLETTER

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Dear Friend

Welcome to the tenth newsletter of the Gilbert + Tobin Centre of Public Law, which marks the Centre's fifth anniversary.

This newsletter also marks the final report of one of the Centre's main projects. The international law and the Australian legal system project has been an important part of the work of the Centre over the last four years. It has been a collaboration between myself and Devika Hovell and Hilary Charlesworth and Madelaine Chiam at ANU and has been a great success in not only producing a range of leading publications (including *No Country is an Island: Australia and International Law*) but also in fostering debate about some of the big issues facing Australia.

As Devika leaves us to undertake a PhD in the UK, we welcome Edwina MacDonald from the federal Attorney-General's Department. Edwina is our Senior Research Director and provides high-level assistance on a number of our research projects

The Centre continues to attract new post-graduate students. They include Dominique Dalla-Pozza who has joined our Terrorism Project to write about the way in which Australia has gone about making terror laws over the last five years. Also undertaking a PhD is Mitchell Landrigan who is examining religious freedom and political speech in Australia.

Other projects continue to be involved in exciting work. Cassandra Goldie continues to develop the field of homelessness and the law, while Sean Brennan has spent his sabbatical leave at the Central Land Council and Bryan Mercurio his leave in the United States furthering his work on world trade law. In the area of terrorism law, Andrew Lynch and Ben Saul continue to be prolific both in their academic publications and in their leading contributions to public debate.

We have also seen our annual conference on constitutional law, which for the fifth year in a row has increased in attendees. With over 250 people it was a remarkable day in bringing together people from across Australia and internationally from practice, academia,

the judiciary and government. It is hard to see how the event can get any larger, but we continue to be surprised each year, including with the ingenuity and expertise of people in answering some of the most diabolical questions about the High Court of Australia.

Apart from continuing involvement in the Charter of Human Rights debate in Victoria, NSW and elsewhere, I have attended two national future forums. The first, the Australian Future Directions forum in Melbourne, involved over 80 people from across Australia invited to come up with ideas and solutions for some of our most pressing problems over the next fifteen to twenty years. The event went over a number of days and the invitees were chosen on the basis of their potential to play a leadership role and the fact that that they were under or close to 40 years of age. I was also fortunate to attend the Future Summit in Brisbane that also grappled with similar issues. Such events fit well with our work in taking a long term, principled perspective on Australia's system of law and government.

Professor George Williams
Director

Centre Website

The redesign of the Centre website <www.gtcentre.unsw.edu.au> is now complete and continues to be a popular portal into public law issues and the work of the Centre. It is innovative in including features such as a Constitutional Law Teacher's Clearing House and resource pages linked to ongoing research. The site has led to considerable interaction between Centre researchers and international scholars and to contact with potential postgraduate students from Australia and overseas.

During 2005 there were over 500,000 server requests on the Centre website, the main countries accessing the site being Australia, the United Kingdom, the United States, the Netherlands, New Zealand and Canada. The majority of users come from universities, government departments and non-profit organisations.

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2007 Constitutional Law Conference & Dinner

Our next Constitutional Law Conference and Dinner will be held on 16 February 2007 at the Art Gallery of New South Wales. The dinner will again be hosted by NSW Attorney-General, The Hon Bob Debus.

GILBERT+TOBIN

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think ahead

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Activities



Participants at the 2006 Australian Future Directions Forum

It is no longer appropriate for the government of the day to have untrammelled power to commit Australia to new international obligations. Without greater involvement of parliament, international law can continue to be dismissed as 'foreign' to most Australians.

Devika Hovell, 'International law must not be 'foreign' to Australians' *The Age* (19 June 2006)

2006 Constitutional Law Conference and Dinner

On 24 February 2006 the Centre with the support of the Australian Association of Constitutional Law again hosted a major constitutional conference at the Art Gallery of New South Wales.

The conference, the fifth in the series of annual events, gathered together practitioners, judges, scholars and members of the general community to discuss recent events and future trends in Australian constitutional law.

The event attracted over 250 participants and a number of high profile speakers and chairpersons. David Bennett QC updated participants on the 2005 Term of the High Court, with the Hon Justice Susan Kiefel doing the same for the State and Federal Courts. The Hon Justice Margaret White gave a paper on military justice, while Peter Edmundsen spoke on intergovernmental agreements and the battle over GST revenue.

The final session of the conference focused on whether we are seeing the death of federalism with Nicola Roxon MP speaking on federalism for the second

century Professor Greg Craven asking whether we are all centralists now and Professor Kim Rubenstein looking at feminism and federalism.

Participants at the conference also enjoyed the dinner that night at New South Wales Parliament House. The speaker was the Hon Justice Christopher Maxwell, President of the Victorian Court of Appeal. By popular demand a High Court trivia quiz followed the dinner which was won by table 13 (Starke). This winning table included Justice John Basten, Professor Michael Coper from ANU, Louise Clegg from the NSW Bar and Rosemary Nicholson from the High Court hosted by the NSW Attorney-General.

Papers from the conference and the trivia questions and answers are available on the Centre website

After the conference Sir Anthony Mason launched the Fourth (and abridged 'Nescafe') Editions of *Australian Constitutional Law and Theory: Commentary and Materials* by Tony Blackshield and George Williams.



left: The UNSW Bookshop during the 2006 Constitutional Law Conference

above: George Williams and Tony Blackshield at the launch of *Australian Constitutional Law and Theory* (4th edition) with Di Young, Kathy Fitzhenry and Chris Holt from Federation Press.

Victorian Charter Report

Over the second half of 2005 I was based in Melbourne as the Chair of the Victorian Human Rights Consultation Committee charged with consulting with people across the State about whether their human rights needed to be better protected and, if so, how. The Committee, composed of myself, Rhonda Galbally, Andrew Gaze and Haddon Storey, and assisted by Solicitor-General Pamela Tate SC, reported to Attorney-General Robert Hulls in late 2005. After receiving 2,524 submissions and holding 130 meetings, the Committee received overwhelming support for change and recommended that Parliament enact an ordinary act of Parliament entitled the Charter of Human Rights and Responsibilities. The Charter would not be based on the US Bill of Rights, but on the ACT *Human Rights Act 2004* and similar statutory instruments in New Zealand and the United Kingdom.

The Government indicated upon the release of the report its acceptance of the primary recommendation and then worked through the details of the report before introducing the Charter into the Victorian Parliament in May of this year. At the public launch to mark the introduction of the Charter into Parliament, Attorney-General Rob Hulls said "With this landmark legislation Victoria will become the first State in Australia to introduce a charter of human rights, with other states likely to follow our lead".

At the time of writing, the Charter has been passed by the lower house of the Victorian Parliament and will likely be debated in the upper House in July. The Victorian Government has also indicated its support for the protection of human rights through the allocation of \$6.5 million over four years in its 2006/2007 budget for a range of human rights initiatives, including community education programs and support for a human rights law resource centre.

With the Victorian Charter and the ACT *Human Rights Act* the case for better protection of human rights continues to gain momentum. The debate is also underway in other jurisdictions with Tasmania having initiated a process and NSW Attorney-General Bob Debus publicly indicating his support for a community consultation process like that in Victoria.

George Williams with Attorney-General Rob Hulls at the launch of the committee's report *Rights, Responsibilities and Respect*



Charter of Human Rights and Responsibilities Act 2006

Act No.

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The Victorian Charter of Human Rights and Responsibilities



Australian Bill of Rights The ACT and Beyond Conference Brochure

Australian Bills of Rights: The ACT and Beyond

The ACT Human Rights Research Project, at the Regulatory Institutions Network at the ANU, and the Gilbert + Tobin Centre of Public Law at UNSW held a one day event on 21 June in Canberra assessing recent developments in Australian Bills of Rights. The conference surveyed the impact of the ACT *Human Rights Act* over the last year in the courts, legislature and the bureaucracy. It also looked at the proposed Charter of Human Rights and Responsibilities in Victoria, and at developments in other States and at the national level, and the comparative perspective from New Zealand.

Speakers included ACT Chief Minister Jon Stanhope, who gave a keynote address, Linda Crebbin, ACT Legal Aid Commission, who spoke on the ACT *Human Rights Act* two years on, Dr Simon Evans, who cast a critical eye over the proposed Victorian Charter of Human Rights and Responsibilities, and Graeme Innes, Australian Human Rights Commissioner, who looked to the future.

We believe that the issue of ratification of treaties of major political, economic or social significance should be determined, as with other matters of importance, by a majority vote of each house of the parliament. Each house should have the power to disallow a government decision to assume new international obligations on behalf of Australia.

Devika Hovell, *Treaty Scrutiny: A Ten Year Review*, Parliament House, Canberra.

There can be no justification for the many instances of financial disadvantage experienced by these members of our community. The solution is to provide a means of legally recognising such relationships and then extending to those persons the same benefits which apply to married couples.

Andrew Lynch 'How can same-sex unions possibly be a threat to marriage?' *The Age* (7 June 2006)

The two most significant flaws in the WTO Agreements – consensus decision-making and loose and apparently unenforceable rules governing the formation of regional trade agreements – have seemingly brought the organization to a standstill. Progress is not possible without major policy shifts among all players – developed nations such as the US and EC, powerful developing countries such as Brazil, China and India, and smaller but increasingly significant players such as the Sub-Saharan African and Caribbean nations – on the key issues: agriculture, services, intellectual property and non-tariff barriers.

Bryan Mercurio, 'Everything That's Old is New Again: Can Plurilateral Agreements Save the WTO from Marginalisation?'

Symposium on WTO Issues and Law, 23 June 2006

No respectable national identity can be built upon the exclusion and marginalisation of cultures that are different to ours.

Ben Saul, 'A Stealthy Erosion of Individual Autonomy' *The Canberra Times* (10 March 2006)

The proposal to increase the threshold for disclosing gifts to parties and candidates from \$1,500 to \$10,000 is wrongheaded. Reform is required, but should instead be directed to increasing the transparency of the political process, including as to who is seeking to influence the behaviour of political parties through the donation of money.

Submission by George Williams to the Senate Inquiry into the *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005* (28 February 2006)

Legal Aid Commissions are relatively restricted in the ways in which they participate in social movements or legal reform work. Many Legal Aid Commissions rarely make public statements or issue press releases to inform the wider community of the lack of access to justice experienced by their clients. There is also a perceived reluctance to be seen to be associated with anti-government activities given that government is the funding source of services, and government sets the policy about the kinds of cases that can be funded.

Cassandra Goldie speaking at the seminar workshop and conference on *The Role of Legal Aid to Promote Access to Justice for Marginalized in the Context of Human Rights*, 21 April 2006, Jakarta, Indonesia



Morning Tea at 2006 Constitutional Law Conference

Public Event: "Speaking of Rights and Liberties in an Age of Terrorism"

In light of great public interest in the impact of anti-terrorism laws on human rights in Australia and elsewhere, in May 2006 the Centre hosted an "Evening in Conversation" with two internationally renowned academic lawyers at NSW Parliament House Theatre on the topic "Speaking of Rights and Liberties in an Age of Terrorism".

Speaking to a full house, Professor Conor Gearty, Director of the Centre for the Study of Human Rights at the London School of Economics, Barrister at Matrix Chambers in London and a Research Visitor at the Centre for two months, provided unique insights into the long and controversial history of anti-terrorism measures in the United Kingdom and their impact on civil liberties. Professor Hilary Charlesworth, Professor of International Law and Human Rights and Director of the Centre for International Governance and Justice at ANU, approached terrorism from the perspective of international law and human rights law. The Centre's Director of the Charter of Rights Project, Ben Saul, moderated the event by posing questions to both speakers based on a critical reading of their scholarship.

Professor Conor Gearty, Professor Hilary Charlesworth and Dr Ben Saul in Conversation

The wide ranging issues discussed included the utility of human rights and international law in the face of terrorism and the war in Iraq; the relationship between legal regimes and powerful interests; the use and misuse of the language of terrorism and war; the gendered nature of law; the role and limitations of preventative, criminal and military measures in confronting terrorism; the relevance of bills of rights in controlling anti-terrorism measures; the idea of "human security"; the root causes of terrorism, including the Israeli-Palestinian conflict; and the prospects and problems of humanitarian intervention.

The event was followed by drinks in the foyer of the NSW Parliament House Theatre, which was generously made available by the Honourable Greg Pearce MLC. The event was hosted by the Gilbert + Tobin Centre for Public Law (Terrorism and Law Project) and also supported by UNSW Law School, the International Law Association (Australian Branch) and the Australian Red Cross (International Humanitarian Law Program). An audio file and transcript of the event are available on the Centre's website.

Chris Horan (Victorian Bar), Ben Saul and Nicola Roxon MP at 2006 Constitutional Law Conference

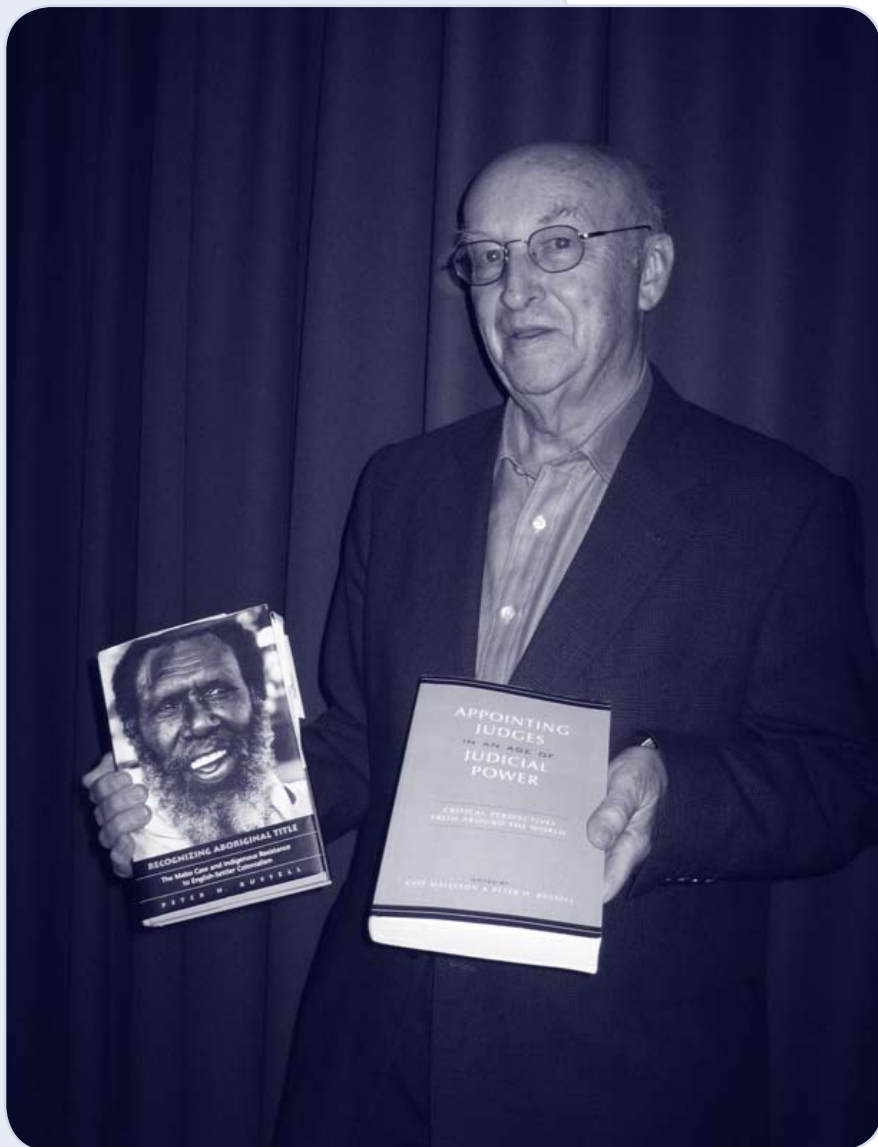


Occasional Seminar Series

On 28 March, the Centre held the first event of its new Occasional Seminar Series at the NSW Parliament House. The series has been devised as a platform for prominent speakers – including, but not limited to, overseas visitors. The seminars take place in the evening and are open to the general public. It was our great pleasure to launch this series with a talk by Professor Peter Russell on 'Appointing Judges in an Age of Judicial Power'. Professor Russell taught Political Science at the University of Toronto from 1958 until 1996, specialising in judicial, constitutional and aboriginal politics. He is a past President of the Canadian Political Science Association and an Officer of the Order of Canada.

Professor Russell's talk was a stimulating and expansive discussion of the experiences of judicial appointment from around the globe. Having just released an edited book with contributions from no fewer than 19 jurisdictions, he was well placed to do so! Understandably, the seminar had a particular focus on the Canadian process and the audience benefited from a lucid and first-hand account of how this has developed and how it works in practice. Consideration of these other models throws into stark relief the ad hoc manner in which judicial appointments are presently made in Australia. Professor Russell's breadth of experience and charm were visible in his willingness to address a very broad range of questions from the audience at the conclusion of his talk.

The Occasional Seminar Series aims to hold an event every couple of months. Having got off to a great start, we hope to see many of you at the next seminar on 22 August. The presenter is Professor Kent Roach – quite coincidentally also from the University of Toronto – who will be speaking on "Must we Trade Rights for Security? Reflections on Contemporary Anti-Terrorism Law and Policy".



Professor Peter Russell with his two books

2006 Constitutional Law Trivia Quiz Questions

1. Who was the last bearded judge to sit on the High court of Australia?
2. Who was the last judge with military experience to sit on the High Court?
3. The parents of which High Court justice were publicans of the Sydney pub, The Cricketers Arms in Surry Hills, and later in Paddington?
4. Which current High Court judge has been compared to AFL legend Gary Ablett, known in football circles as "God"?
5. What percentage of special leave applications in the High Court are filed by unrepresented litigants?
6. Under the Chief Justiceship of Sir Anthony Mason, the judicial practice of wearing wigs was finally abandoned. Prior to the dissolution of the practice, which two High Court justices refused to wear the wig?
7. How many High Court justices have gone on to become Governor General?
8. Which historic remnant associated with Ben Chifley's bid to nationalise Australia's banks and Robert Menzies' attempt to ban the Communist Party has been threatened with demolition?

Answers: Page 7

People



top: Tessa Meyerick and Anna Saulwick, Centre Research Assistants

middle: PhD Students Paul Kildea and Dominique Dalla-Pozza with Centre Administrator Belinda McDonald

2nd from bottom: PhD Student Mitchell Landrigan

bottom: Registration Desk at 2006 Constitutional Law Conference

Centre Visitors

Many people continue to visit the Centre, sometimes for a few days, sometimes for a few weeks or months. Over the last six months we have welcomed people including Dr Thomas Poole from the University of Nottingham (for the third time!) and Professor Peter Russell from the University of Toronto. Professor Russell presented a Faculty seminar on his new book on the Mabo case, *Recognising Aboriginal Title: The Mabo Case and Indigenous Resistance to English-Settler Colonialism* (UNSW Press, 2006) and the same evening presented a public seminar on judicial appointments at Parliament House as part of the Centre's new Occasional Seminar series.

Also visiting the Centre and the Faculty more generally was Professor Conor Gearty, Director of the Centre for the Study of Human Rights at the London School of Economics. Professor Gearty visited UNSW for several weeks and also took the opportunity to travel to other law schools around Australia. His visit was a great opportunity for those involved in our Terrorism Project to talk with him about developments in the United Kingdom. His visit follows on from the Centre's successful seminar held in late 2005 at University College London that involved a range of Australian and UK academics interested in the field.

We are expecting a number of visitors again over the next six months, which will also coincide with the Faculty's move to the new Law building. Those visitors include Professor Kent Roach from the Faculty of Law at the University of Toronto. Professor Roach is arguably Canada's leading academic expert on terrorism law and he will both teach and deliver presentations while at the Centre

Conor Gearty

While I am here I am doing two things. The first is my book on civil liberties, which Oxford University Press are publishing as part of the Clarendon Series. I am also reading a bit on human rights theory, and in particular thinking about what fit there is, if any, between the idea of human rights and the pragmatic theories that now underpin much philosophical inquiry but which appear (at first sight anyway) very hostile to the foundationalism seemingly implicit in the notion of rights. This reading is a development of my Hamlyn lectures, which are due to be published by Cambridge University Press later this month.

Dr Lorand Bartels

Dr Lorand Bartels is currently visiting the Centre. He is a Lecturer in International Economic Law at The University of Edinburgh, School of Law. Dr Bartels holds undergraduate degrees in English literature and law from the University of New South Wales and a doctorate in law from the European University Institute. Dr Bartels' main areas of research are international law, WTO law and EU external relations and constitutional law. He is currently working on the EU's trade and development policy (for which he presented a paper at the Centre's Symposium on WTO Issues and Law), and writing a book entitled *Applicable Law before International Courts and Tribunals*, due to be published by OUP in 2008.

Post Graduate Student Reports

Dominique Dalla-Pozza

I joined the Centre in February 2006 as a PhD candidate after I was fortunate enough to obtain the "Terrorism and Law" scholarship. I have spent my first months as a member of the Centre trying to settle on a structure for a single thesis in an area which is fascinating, but frighteningly broad. I have decided to focus my research on the "Australian Approach to Enacting Counter-Terrorism Laws". I will be analysing the process by which the Federal Government has embarked upon enacting counter-terrorism laws.

This means that over the next 2 and a half years I look forward to becoming very familiar with Hansard, the reports of parliamentary committees and the press statements made by our legislators as I analyse the process by which these important laws were made. I aim to look at the legislature (more traditionally the domain of political scientists) with 'legal eyes' and identify any trends in the law-making process which have developed since September 11 2001. Ultimately, I hope to be able to draw conclusions about the effect of making counter-terrorism law on the law-making process itself, the adequacy of the law-making process for creating counter-terrorism legislation and what we can learn about making counter-terrorism law in the future from the way it has been made in Australia over the last five years.

Mitchell Landrigan

I am researching freedom of discourse under the Commonwealth Constitution and am specifically looking at the intersection of "political" speech and "religious" speech, as implied freedoms from a legal perspective. I am also looking at the implications of section 116 of the Commonwealth Constitution for religious freedoms, including speech, belief and association.

My current research sees me exploring the separation of Religion and the State from a general historical perspective; and specifically with regard to law and religion in Australia. I have particular interests in political figures as religious figures (and vice versa); and in the use of political language for evangelistic purposes (and vice versa).

Social Justice Intern Report: David Hume

Before starting as an intern at the Centre, I had heard reports from a number of people associated with the Centre about what to expect. I was told that I would probably be involved in advocating the introduction of the bill of rights at some level of government; that I would learn to get inordinately excited about High Court trivia; and that, if I was especially lucky, I might get to go to Canberra with George. So I came to the position with reasonably high expectations of what awaited me.

I was fortunate to be working at the Centre at a time many important laws were being discussed, enacted and reviewed. Consequently, there was never any shortage of work. While at the Centre, I was able to work on: the ALRC review of sedition laws; the oil-for-food inquiry; and HREOC's review into discrimination against same-sex couples.

Most of my internship was spent following through the policy process with the *Telecommunications (Interception) Amendment Act*. This Act allows the government to tap the phones and SMS's of innocent people. George took me through the process of writing a submission, writing opinion pieces, giving press

interviews and, with luck, turning those pieces into a more substantial academic article. A highlight of this aspect of the internship was having an opinion piece written by George and I read out by Senator Bob Brown in Hansard quoting Professor Williams and David Hume as 'incisive legal minds' – even if I suspect that Bob Brown would have said that about any opinion which agreed with his in that particular circumstance!

A further highlight for me was joining Sean Brennan's workshop on Northern Territory statehood and the Land Rights Act. The discussions at the workshop clearly have the capacity to effect fundamental change in the Northern Territory and Australia, and it was an honour for me to be involved – although my involvement extended only to the very difficult task of taking minutes.

Unfortunately, I didn't get to go to Canberra with George. I guess you can't have everything in life. I did nevertheless learn a great deal during my session at the Centre. Above all, I learnt how to evaluate policy and then go about trying to change it. I want to thank everyone involved in the Centre and particularly George Williams. It has been a privilege for me to work with the inspiring and committed group associated with the Centre.

Homelessness Legal Rights Project Director Cassandra Goldie visits members of Kampong Bara Bara, a traditional fishing community facing forced eviction from a private development, the Northern Coastal Reclamation Project, Jakarta, Indonesia



Trivia Quiz Answers

1. Justice Charles Powers, who retired from the Court in 1929.
2. Sir Anthony Mason.
3. Justice Lionel Murphy.
4. Justice Susan Crennan.
5. 64%.
6. Justice Heydon Starke and Justice Lionel Murphy.
7. Three: Sir Isaac Isaacs, Sir Ninian Stephens, Sir William Deane.
8. The 1928 Old High Court building in Little Bourke Street, Melbourne. Both cases were heard in this building.

Despite the problems with sedition, Parliament passed the law anyway. It was a particularly poor example of law-making and indeed one of the worst in the history of the federal Parliament. It is hard to think of another example where a law targeting something as fundamental as political speech has been enacted as quickly with as many people from all sides of politics recognising that it needed to be amended even as it was being enacted.

George Williams, 'Speak Up in Defence of Free Speech' *Sydney Morning Herald* (20 May 2006)

In order for the States and unions to succeed, the Court has to depart from a legal precedent which sets out the constitutional philosophy it has followed for the last 86 years. To put in mildly, that would be a surprising development.

Andrew Lynch, 'Safety in Numbers on the Industrial Relations Laws' *The Courier-Mail* (10 May 2006)

Project Reports

Charter of Rights Project

Project Director: Ben Saul

In a subtle shift in terminology, the Centre's long-running "Bill of Rights Project" was transformed overnight into the fresh and contemporary "Charter of Rights Project". Following the recent human rights consultative process in Victoria, it was felt that the term "Charter" enjoyed greater public resonance, in contrast to the lesser acceptance of a more litigious US-style "Bill of Rights" or the more technical British and ACT "Human Rights Act". While the Centre's Project is not involved in political advocacy in favour of a Charter of Rights, it is important that the Project express itself in terminology as accurate and neutral as possible and which neither suffers from popular prejudice nor lawyerly irrelevance. The Project continues to maintain its watching brief on human rights issues in Australia, including through making submissions, presentations and engaging in public debate on legal issues involving terrorism, refugees, prisoners, freedom of expression and freedom of religion. The Project is gearing up to participate in the recently announced processes for considering human rights charters in New South Wales and Tasmania, with the possibility of further States following in the near future.

Cassandra Goldie meets with community leaders from Kampong Pilar, a community which has successfully resisted its forced eviction with legal assistance from Jakarta Legal Aid Institute



Homelessness Legal Rights

Project Director: Cassandra Goldie

The Homelessness Legal Rights Project continues to publish its regular online Homelessness, Human Rights and the Law Resource Bulletin. The Bulletin contains updates on legal reforms, jurisprudence, publications and research within Australia as well as key international developments. The Project has been greatly enriched by the assistance of its new Advisory Group and is very pleased to announce the inclusion of Associate Professor Brendan Edgeworth as its latest member. Brendan teaches Housing Law, Property, Equity and Trusts 1, Property and Equity 2 and Legal Theory in the Law School of the University of New South Wales. He is on the Board of the NSW Tenants' Union, was for many years a member of the Tenancy Legal Working Party, and is on the steering committee of the NSW "Tenants' Rights Manual". He has worked as a part-time consultant for the NSW Law Reform Commission. His recent books are *Law, Modernity, Postmodernity: Legal Change in the Contracting State* (Ashgate, 2003); *Sackville and Neave: Property Law, Cases and Materials* (7th ed, LexisNexis, 2003) (with CJ Rossiter and MA Stone). In 2002 he received an Australian Research Council Discovery-Projects grant to examine the quality of justice in courts and tribunals in residential tenancy matters. This research is ongoing. The Homelessness Legal Rights Project will benefit greatly from his expertise.

On 3 March 2006, the Project Director, Cassandra Goldie was involved in a joint presentation at the National Homelessness Conference in Sydney on the topic of 'A human rights approach to homelessness: Is it the Way Forward?' in collaboration with Phil Lynch, Director of the Human Rights Law Resource Centre, and Kristen Hilton, Coordinator of the Homeless Persons Legal Clinic in Victoria. This presentation was followed by a Workshop on Using the Law and Human Rights to Challenge Injustice for People who are Homeless, facilitated by the Director. The Workshop generated a number of important initiatives including a commitment to prepare a national submission to the UN Special Rapporteur on the Right to Adequate Housing, Miloon Kothari, who is due to visit Australia in July 2006. Workshop participants also agreed to seek support for the proposal that a national inquiry be conducted by the Human Rights and Equal Opportunity Commission into the human rights implications of the use of 'move on' powers for people using public space, including people who are homeless, Indigenous peoples, and youth. This event was followed by a Public Forum in Melbourne on 9 March on Public Space: At the Crossroads? organised by the Council to Homeless Persons, at which the Director presented on 'A Human Rights Approach to Regulating Public Space: Sounds Good but What Does it Really Mean?'. The Forum was held to highlight concerns about the treatment of people in public space in the lead up to the Commonwealth Games in Melbourne.

In April of this year, the Director was invited to Jakarta, Indonesia to present a paper on Legal Aid and Access to Justice in Australia as part of 'The Role of Legal Aid to Promote Access to Justice for Marginalised in the

Context of Human Rights' Seminar, Workshop and Conference. The event was organised by legal aid and civil society groups across Indonesia and attended by the President of Indonesia, the Attorney General and the Chief Justice of the Supreme Court of Indonesia. The initiative was a part of ongoing efforts to develop a national law on legal aid, institutional frameworks and funding support for an effective legal aid system in Indonesia. International speakers from South Africa, Taiwan, Thailand and the United States also participated. Whilst in Indonesia, the Director visited the Urban Poor Consortium and several local communities that have been facing forced evictions and exchanged information about using international advocacy mechanisms to support local campaigns. This is particularly relevant in light of Indonesia's ratification of the International Covenant on Economic, Social and Cultural Rights on 23 February 2006.

The Project is pleased to announce that the Australian Federation of Homelessness Organisations has agreed to sponsor a series of national teleconferences amongst specialist legal services for homeless people, the Homelessness Legal Rights Project and other activists to assist in ongoing discussions and planning for promoting protection of human rights for people who are homeless in Australia.

For more information about these events, or to join the email list to receive the Homelessness, Human Rights and the Law Resource Bulletin, contact Cassandra Goldie at c.goldie@unsw.edu.au or visit the Project Website at http://www.gtcentre.unsw.edu.au/projects_partners/projects/hlr/index.asp.

Indigenous Rights, Land and Governance

Project Director: Sean Brennan

During first semester, Sean Brennan was on study leave from UNSW Law School and the Centre. He spent several months with his family in Alice Springs, in Central Australia. During that time he worked on a research project with Central Land Council (CLC). CLC is a large and long-standing Aboriginal organisation, which protects and promotes the land and related interests of Aboriginal people in Central Australia.

In 2003, the Chief Minister of the Northern Territory (NT), Clare Martin, committed her government to pursue Statehood for the NT. Sean's research project looked at some implications of Statehood. In particular, it focused on the protection of interests held under the federal *Aboriginal Land Rights (Northern Territory) Act 1976*.

In May, the Centre collaborated with CLC to hold a workshop with several invited specialists in constitutional law. The workshop tackled a number of complex technical issues. It proved a very successful collaboration and the expert contribution from participants will greatly assist CLC in developing its response to the Statehood debate.

Study leave has also given Sean the opportunity to complete his contribution to a research report produced by the Indigenous Law Centre at UNSW. It deals with the official control of Aboriginal people's wages and entitlements in NSW government trust accounts through much of the 20th Century. In many cases that money was never returned to its rightful owners. More details about this work will appear in the next Centre newsletter.

International Law Project – Final Report

Project Director: Devika Hovell

With the recent publication of the book, *No Country is an Island: Australia and International Law*, the International Law Project has reached its formal conclusion. Funded by the Australian Research Council, the Project was a joint initiative between the Centre Director and Devika Hovell at UNSW and Professor Hilary Charlesworth and Madelaine Chiam at the Australian National University.

The Project produced two books and several articles, opinion pieces and conference papers. Much work by the Project Partners has been focussed on four key case studies, examining the method by which Australia enters into international treaties. This involved interviews with key players, research and analysis of the domestic processes leading to Australia's entry into treaties such as the United States-Australia Free Trade Agreement, the Rome Statute to the International Criminal Court, the Framework Convention on Tobacco Control and the Optional Protocol to the International Covenant on Civil and Political Rights.

At the end of the Project, the Project partners have concluded that the method by which Australia enters into international legal obligations needs an injection of democracy.

As things stand, international law is perceived as 'foreign' to most Australians: a source of un-Australian, vague and chaotic norms, manufactured without regard to Australia's special idiosyncrasies. It is a view that is not tempered by our politicians, but at times actively encouraged.

Centre Staff at Devika Hovell's Farewell Dinner



'Human security' collapses and conflates the whole spectrum of human problems, compacting and compressing them into an artificial, homogenising, overarching category

Ben Saul, 'The Dangers of the United Nations' "New Security Agenda" *Asian Journal of Comparative Law* (2006)

Naming your enemies as animals is a way of psychologically distancing them from yourself, facilitating the moral slide into treating them as animals.

Ben Saul, Speech for the Australian Red Cross in Law Week, 'The Torture Debate: International Law and the Age of Terrorism', Gilbert + Tobin, Sydney, 28 March 2006

Although it is often seemingly forgotten, it is important to realize that the issue of global access to medicine requires measures and policies much broader than simply amending global intellectual property protection. In the current situation, many of the developing countries suffering through public health crisis cannot even afford to buy and distribute pharmaceutical products that are off-patent or warehouse, store and administer drugs and vaccines donated by the pharmaceutical companies. This is reality and in this reality we must ask if the issuance of compulsory licenses, or otherwise allowing access to patented pharmaceutical products, will even do any good.

Bryan Mercurio, 'Resolving the Public Health Crisis in the Developing World: Problems and Barriers of Access to Essential Medicines' *Symposium on WTO Issues and The Law*, 23 June 2006



Cover of *No Country is an Island: Australia and International Law*

It is our view that such an approach is not in Australia's long-term strategic interests.

Many of the issues Australia faces today, such as the threat of terrorism, cannot be dealt with except as part of a discussion that leads to concerted international action. As a middle-sized nation in a volatile region, we must recognise the need for a viable international legal framework. There is a clear need to bring the people back into the process. Australia, and the Australian public should engage in the creation of international law and be prepared to comply with the international obligations that it assumes. The book's key proposal is that the executive should no longer have exclusive power to enter into international treaties, and that the issue of ratification of treaties of major political, economic or social significance should be determined, as with other matters of importance, by a majority vote of each house of the parliament.

While the Project has reached its formal conclusion, the Centre will continue to take a strong interest in Australia's relationship with, and response to, international law. The Project Director, Devika Novell, is departing shortly for Oxford University where she will undertake a doctorate focussing on the constitutional law of the United Nations.

International Trade & Development

Project Director: Bryan Mercurio

With the Doha Round stalling and free trade agreements continuing to be negotiated at a furious pace, the International Trade and Development Project (ITAD) has been busy this year. Bryan Mercurio spent the first half of 2006 on leave from UNSW as a Visiting Scholar at The George Washington University and a Visiting Professorial Fellow at Georgetown University's prestigious Institute of International Economic Law (IIEL). Bryan thoroughly enjoyed his time at the IIEL and made full use of their physical and intellectual resources to enhance the Project's quantitative and qualitative output. In addition, Bryan used his time in Washington, DC to meet with several trade lawyers, scholars and governmental officials relating to several of ITAD's projects, including dispute settlement, investment, international intellectual property and free trade agreements.

During his time in the US, Bryan continued work on his co-authored textbook (*World Trade Law: Regulation and Policy*, Hart Publishing, expected 2007) and completed a book chapter entitled, 'TRIPS-Plus Provisions in FTAs: Recent Trends' for 'Regional Trade Agreements and the WTO Legal System' edited by Lorand Bartels and Federico Ortino (Oxford University Press, 2006). In addition, Bryan began working in collaboration with Simon Lester of the well-regarded US-based <WorldTradeLaw.net> on a large-scale project to collect, categorise and analyse all existing FTAs. This project entails completing a comprehensive work on this subject that will appeal to academics, practitioners and governmental officials, as well as providing commentary by leading members of the trade community on individual FTAs. In addition, as part of this project, Mercurio and Lester will author one of the first books which analyses and links the provisions of the various free trade agreements. Cambridge University Press will publish the works mid-2007.

ITAD and the Centre held a high level, invitation only 'Symposium on WTO Issues and Law' on 23 June 2006. This event brought 15 scholars and researchers from Australia and New Zealand together to present and discuss contemporary issues of international trade law. It is our hope that this successful event will lead to collaborative efforts and continuing links among the participants.

Terrorism and Law Project

Project Director: Andrew Lynch

As reported in the last newsletter, the closing months of 2005 were an extremely busy period for staff working on the Terrorism and Law Project. The first half of this year have been slightly less frantic but there has still been a lot happening. We have made submissions to no fewer than six inquiries over this period. These included the Security Legislation Review Committee, established by the Attorney-General to review the operation of the first raft of Commonwealth anti-terrorism laws passed in 2002 and 2003; the Australian Law Reform Commission's Inquiry into the sedition laws passed last year; and the Senate's inquiry on the *Telecommunications (Interception) Amendment Bill 2006*. Additionally, two prominent international inquiries took evidence about the counter-terrorism measures adopted in Australia – the United Nations and the International Commission of Jurists. Andrew Lynch, Ben Saul and George Williams variously worked on submissions for all these inquiries, often assisted by David Hume, the Social Justice Intern for this semester. For full details of all submissions made by the Centre in the last six months, please see the relevant section under 'Publications'.

The Centre hosted its first visitor under the Terrorism Project, Professor Conor Gearty from the London School of Economics. It was a delight to have Professor Gearty at the Faculty for several weeks and he was very generous with his time in speaking to staff and students. He also proved a hit with public audiences at the events organised and supported by the Centre. Please see the separate report on Conor's visit elsewhere in the newsletter.

The Centre was well represented at a workshop organised by the College of Law, Australian National University entitled *Ensuring Accountability – Terrorist Challenges and State Responses in a Free Society* which was held over two days in April. Ben Saul presented a paper entitled 'Discretion and Law: Never Negotiate with Terrorists' and Andrew Lynch spoke on 'Legislating with Urgency'. Katie Nesbitt and Dominique Dalla Pozza, the Centre's two postgraduate students working in terrorism law, also attended the workshop. It was an excellent event which drew together an impressive list of participants from overseas and around the country and from a range of different disciplines and institutions. Our thanks to the organisers.

The plan for the remainder of 2006 is to continue our involvement with parliamentary and public processes of consultation. At the same time, academic pieces which critically analyse Australia's counter-terrorism regime are at various stages of publication, with many due to appear by the end of the year. In August we welcome Professor Kent Roach as a visitor under the Project. Kent will be speaking in our Occasional Seminar Series and also teaching a postgraduate offering during his stay on Comparative Anti-Terrorism. It looks set to be another engaging and productive time.



Terrorism Project Director Andrew Lynch speaking at the 2006 Constitutional Law Conference

When I'm stopped in the streets over the next few weeks – as I expect to be – and asked what's *No Country is an Island* really about, I'll say "It's a hymn to reciprocity." And to the romantic possibility that "The previously unlimited scope of executive power to enter into international agreements would be constrained and made more accountable by greater democratic oversight."

I know a book launch is not a book review. But I want to strongly recommend this book – especially to those who think they already know the subject. It brings cool good sense to complex brawls about international law that began before – but have flourished during – the Howard years.

It bravely argues for the need to discipline the executive at a time when the whole drift of politics – and alas the law – is travelling in the other direction.

In a way that will make the book constantly useful, constantly referred to, it gives the essential account of David Hicks in Guantanamo and the negotiation of the Free Trade agreement with the United States. These are lucid narratives of fact and principle.

The lesson is that Australia will ignore any of its international obligations when it suits – especially if they stand in the way of making money. It's our own doctrine of exceptionalism. That America opts out of its obligations on a much grander scale and with much finer rhetoric encourages Australians to feel free to do what we want, when we want. As John Howard said – and as the authors quote – "In the end we are not told what to do by anybody."

Australia is not a country where principle holds sway. What I admire most about *No Country is an Island* and the team behind the project, is their determination to keep speaking for principle. I'm proud to launch the book and wish it a long and influential life.

Launch of *No Country is an Island*, David Marr, 14 June 2006

Publications and Presentations

PUBLICATIONS

Joint Publications

Hilary Charlesworth, Madelaine Chiam, Devika Hovell and George Williams, *No Country is an Island: Australia and International Law* (UNSW Press, 2006).

George Williams and Ben Golder, 'Balancing National Security and Human Rights: Assessing the Legal Response of Common Law Nations to the Threat of Terrorism' (2006) 8 *Journal of Comparative Policy Analysis: Research and Practice* 43.

George Williams

Australian Constitutional Law and Theory: Commentary and Materials (Federation Press, 4th ed 2006); (Federation Press, 4th abridged ed 2006) (both with Tony Blackshield).

'Sedition and Academic Freedom: Strategies to Protect Academic Freedom' (2006) 48(2) *Australian Universities Review* 15.

'The Rule of Law and the Regulation of Terrorism in Australia and New Zealand' in Ramraj, V, Hor, M, and Roach, K (eds), *Global Anti-Terrorism Law and Policy* (Cambridge University Press, 2005).

'Creating a Culture of Rights: A Charter of Human Rights and Responsibilities for Victoria' (2006) 15(1) *Human Rights Defender*, 8.

Bill of Rights, Hot Topics 54: Legal Issues in Plain Language (Legal Information Access Centre, State Library of New South Wales, 2005) (co-author), 1.

John Williams, *The Australian Constitution: A Documentary History* reviewed at (2005) 5 *Oxford University Commonwealth Law Journal* 317.

Victorian Human Rights Consultation Committee, Rights, Responsibilities and Respect: *The Report of the Human Rights Consultation Committee* (State of Victoria, 2005), 1-236.

'Human Rights, Parliamentary-Style' Evatt Foundation <<http://evatt.org.au/news/390.html>> at 19 May 2006.

Cassandra Goldie

'Criminalising People in Public Space in Australia and Canada' (2006) 19(1) *Parity* 43.

Andrew Lynch

'Use of overseas evidence in terrorism offences: The implications of the Commonwealth's new scheme for defendants and the courts' (2006) 27(3) *Australian Bar Review* 288.

Ben Saul

Ben Saul, 'Defending "Terrorism": Justifications and Excuses for Terrorism in International Criminal Law' (2006) 25 *Australian Yearbook of International Law*.

Ben Saul, 'The Dangers of the United Nations' "New Security Agenda": Collective and Regional Security in the Asia-Pacific Region' (2006) 1 *Asian Journal of Comparative Law* 147.

Ben Saul, 'Reasons for Defining and Criminalizing Terrorism in International Law' (2006) 6 *Mexican Yearbook of International Law* 419.

Ben Saul, 'The Legal Response of the League of Nations to Terrorism' (2006) 4 *Journal of International Criminal Justice* 78.

Ben Saul, 'Defining Terrorism to Protect Human Rights', FRIDE Working Paper (Spanish Foundation for International Relations and Foreign Dialogue), January 2006.

PRESENTATIONS

George Williams

'In a Democracy like Australia there is no Need for a Bill of Rights: The No Case', Charles Sturt University, Orange, Free Speech Central West, 25 June 2006.

'The Victorian Charter of Human Rights and Responsibilities', Australian Bills of Rights: The ACT and Beyond, Canberra, 21 June 2006.

'A Charter of Human Rights and Responsibilities for NSW?', NSW Parliament House, 8 June 2006.

'IR Laws and the Constitution', IR Workshop, University of Melbourne Law School, 2 June 2006.

'Talking to the Media', Sydney Law School Seminar, 1 June 2006.

'The State of the Word', Sydney Writers' Festival, 28 May 2005.

'Victoria's Charter of Human Rights and its Applicability to NSW', Public Forum, Blue Mountains, 27 May 2005.

'The Victorian and ACT Experience', NSW Charter of Rights Support Group Meeting, Public Interest Advocacy Centre, Sydney, 15 May 2006.

'Security or Democracy – Trade Off or Essential Partners?', Future Summit 2006, Brisbane Convention and Exhibition Centre, 12 May 2006.

'Victoria's Charter of Human Rights and its Federal Applicability' ALP National Policy Committee Forum, Melbourne, 30 April 2006.

'The Current Attack on Industrial and Civil Liberties' Evatt Foundation Sunset Seminar, 14 March 2006.

'Why do we Need a Bill of Rights?', Politics in the Pub, 10 March 2006.

'Comment on "What's Wrong about Bills of Rights?', Australian Association of Constitutional Law / New South Wales Bar Twilight Seminar, 9 March 2006.

'The Road to a Queensland Bill of Rights: Lessons from the Victorian Charter of Human Rights and Responsibilities', International Commission of Jurists, Brisbane, 6 March 2006.

'Will Australia's New IR Laws Survive Constitutional Challenge?', Centre for Governance and Public Policy Seminar Series, Department of Politics and Public Policy, Griffith University, Queensland, 6 March 2006.

'A Charter of Rights for Victoria?', Australian Fabian Society, Melbourne, 15 February 2006.

'What Does a Bill of Rights Mean for Victoria's Public Service?', Phillips Fox, Melbourne, 15 February 2006.

Andrew Lynch

'How the Anti-Terrorism Laws Affect You', UNSW Law Student's Society Schools Education Day, UNSW, Sydney, 15 June 2006.

'Harmony and Diversity: Unanimity and Dissent on the High Court', Staff Seminar, University of Tasmania, 10 May 2006.

'Legislating with Urgency', Ensuring Accountability – Terrorist Challenges and State Responses in a Free Society Workshop, Australian National University, Canberra, 20-21 April 2006.

Ben Saul

'Regional Security Co-operation in the Asia-Pacific Region: from Terrorism to Human Security', Australia New Zealand Society of International Law Conference, 29 June -1 July 2006.

'So You Want to be a Human Rights Lawyer?', Amnesty International Forum, Sydney, 7 June 2006

'Regional Legal Responses to Terrorism: ASEAN, SAARC and Beyond', Asian Law Institute, 3rd Annual Conference, Shanghai, 25-26 May 2006.

'Australia's Anti-Terrorism Law and Human Rights', Amnesty International Forum, Parramatta Town Hall, 10 May 2006.

Moderator, 'Speaking of Rights and Liberties in an Age of Terrorism: An Evening in Conversation with Professor Conor Gearty and Professor Hilary Charlesworth', NSW Parliament House Theatre, 3 May 2006.

'Never Negotiate with Terrorists? Amnesties, Pardons and Immunities for Terrorism', Ensuring Accountability – Terrorist Challenges and State Responses in a Free Society Workshop, Australian National University, Canberra, 21 April 2006.

Guest Lecture on Refugee Law, Department of Social Policy, University of Sydney, 11 April 2006.

Guest Lecture on Refugee Law, postgraduate Human Rights Law, UNSW Law School, 10 April 2006.

'Migration, Terrorism and Globalisation', St Paul's College Globalisation Conference, 8 April 2006.

'The Torture Debate: International Law and The Age of Terrorism', Australian Red Cross International Humanitarian Law Lecture Series, NSW Law Week, Sydney, 28 March 2006.

'Australian Anti-Terrorism Laws and Human Rights: Legislating for Insecurity?', Seminar at St Paul's College, Sydney University, 8 March 2006.

Seminar on sedition laws for the Australian Law Reform Commission, Sydney, 10 February 2006.

NSW Law Society (Young Lawyers), Continuing Legal Education (CLE) Seminar on the Anti-Terrorism Act (No 2) 2005, Sydney, 8 February 2006.

'Terrorism and Human Rights', Guest Lecture for the Centre for Peace and Conflict Studies Summer School, University of Sydney, 21 January 2006.

MEDIA PUBLICATIONS

George Williams

'No Country is an Island' *Australian Financial Review* (30 June 2006) (with Madelaine Chiam).

'Electoral Changes Going Backwards' *Sydney Morning Herald* (23 June 2006).

'Reform Rolling in the Wrong Direction' *Courier Mail* (21 June 2006).

'New Laws Undermine Democracy' *Hobart Mercury* (14 June 2006).

'Shrinking Democracy' *The Age* (13 June 2006).

'No Laughs in this Terrible Gag' *Courier Mail* (2 June 2006).

'Sedition Law Needs Surgery' *Hobart Mercury* (31 May 2006).

'At last, Sedition may be Consigned to History' *The Age* (30 May 2006).

'Speak up in Defence of Free Speech' *Sydney Morning Herald* (30 May 2006).

'Finances and Federalism' Perspective, ABC Radio National (5 May 2006) <<http://www.abc.net.au/rn/talks/perspective/stories/s1631731.htm>>.

'Human Rights Charter will Save Time and Money' *Daily Telegraph* (13 April 2006).

'Time to Reassess Our Terror Laws' *Canberra Times* (8 April 2006).

'More Than Ever, Watch What You Say' *Sydney Morning Herald* (3 April 2006) (with David Hume).

'New Law Frees Spy Agencies to Snoop on the Innocent' *The Age* (3 April 2006).

'Terror Can't be Beaten by Rushing New Laws' *Adelaide Advertiser* (31 March 2006).

'Big Brother Looms Large in New law' *Courier Mail* (27 March 2006) (with David Hume).

'What Price Security?' *The Age* (25 March 2006).

'Mail Proposal goes "Beyond the Pale"' *Hobart Mercury* (24 March 2006) (with David Hume).

'Someone Else Might be Listening' *Herald Sun* (23 March 2006) (with David Hume).

'Human Rights Charter Idea an Opportunity for the People to Speak' *Sydney Morning Herald* (21 March 2006).

'Battle for Your Rights' *Herald Sun* (24 February 2006).

'Federal System Needs New Deal' *Courier Mail* (24 February 2006).

'It's No Wonder NSW and Victoria Cry Foul Over GST Imbalances' *Sydney Morning Herald* (21 February 2006).

'Protect our Freedoms' *Courier Mail* (30 January 2006).

'The People Demand their Rights' *Herald Sun* (21 December 2005).

'A Clear Right of Way for People who Cherish their Freedoms' *Sydney Morning Herald* (21 December 2005).

Devika Hovell

'International Law must not be Foreign to Australians' *The Age* (19 June 2006).

Andrew Lynch

'How can same-sex unions possibly be a threat to marriage?' *The Age* (7 June 2006).

'The High Court Challenge to *Workchoices*' *Perspectives* - ABC Radio National (12 May 2006).

'Safety in Numbers on the Industrial Relations Laws' *The Courier-Mail* (10 May 2006).

'Hasty law-making diminishes public respect for the law itself' *The Canberra Times* (3 April 2006).

Ben Saul

'A Visa That Denies Fundamental Human Rights', *The Age* (26 May 2006).

Ben Saul, Open letter to the Attorney-General on the Cole Inquiry, *The Australian* (13 April 2006).

Ben Saul, 'AWB as fall guy not good enough', *The Australian* (5 April 2006).

Ben Saul, 'A Stealthy Erosion of Individual Autonomy', *The Canberra Times* (10 March 2006).

SUBMISSIONS

Joint Submissions

Andrew Lynch and David Hume, Submission made to Human Rights and Equal Opportunity Commission's National Inquiry, "Same-Sex: Same Entitlements" (5 June 2006).

Andrew Lynch, Ben Saul and George Williams, Submission to the UN Commission on Human Rights, Special Rapporteur on Terrorism's Study on Australia's anti-terrorism laws (13 March 2006).

David Hume and George Williams, Submission to Senate Legal and Constitutional Legislation Committee: Inquiry into Telecommunications (Interception) Amendment Bill 2006' (10 March 2006).

Andrew Lynch, Ben Saul and George Williams, Submission to the International Commission of Jurists, Eminent Jurists Panel on Terrorism and Human Rights (10 March 2006).

Andrew Lynch and George Williams, Submission to Security Legislation Review Committee, Attorney-General's Department on security legislation (1 February 2006).

George Williams

Submission to Senate Finance and Public Administration Legislation Committee Inquiry into the *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005* (28 February 2006).

Ben Saul

Submission to Refugee Review Tribunal's Draft Guidelines on Credibility Assessment (2 June 2006).

Submission to the Senate Legal and Constitutional Legislation Committee inquiry into the *Migration Amendment (Designated Unauthorised Arrivals) Bill 2006* (23 May 2006), co-authors were: Refugee Advice and Casework Service, Jane McAdam and Ben Saul

Submission to the UK Independent Reviewer of Terrorism Legislation, 'Definition of Terrorism in UK Law' (19 May 2006).

Submission to the Department of Immigration's review of Australia's Bridging Visa framework (12 May 2006).

Submission to the Australian Law Reform Commission Reference on Sedition (14 April 2006).



Front Cover of *Australian Constitutional Law and Theory*, Fourth Edition

Submission to the Commonwealth Attorney-General's Department, Review of Australian Extradition Law and Practice (10 April 2006).

Submission to the Senate Legal and Constitutional Legislation Committee Inquiry into the *Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2005* (16 January 2006).

Ben Saul, Submission on the Refugee Review Tribunal and Migration Review Tribunal 'Draft Guidance on the Assessment of Credibility', 2 June 2006

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Devika Hovell's final Centre meeting being celebrated in style

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