

UNSW Gilbert + Tobin
Centre of Public Law
// University of
Sydney Law School

*Public Law Across &
Beyond the Tasman*

ICON-S AUS-NZ CHAPTER CONFERENCE

August 29 – August 30 2024





EVENT OVERVIEW

Thursday 29 August -
Friday 30 August

Thursday 29 August

10:15am - 7:00pm

UNSW Faculty of
Law & Justice

Day 1

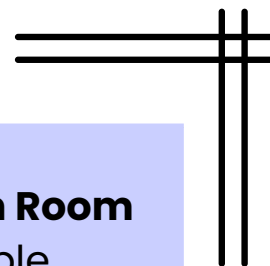
Friday 30 August

9:45am - 7:00pm

University of Sydney
Law School

Day 2

Overview



10:15am - 10:45am

Arrival: **Level 2 Staff Common Room**
Light Morning Tea available

10:45am - 11:00am

Welcome and Welcome to Country

11:00am - 12:30pm

Plenary conversation:
Professor Adrienne Stone, Melbourne Law School; Professor Janet McLean, University of Auckland

12:30pm - 1:00pm

Lunch

1:00pm - 3:00pm

Parallel Session 1

3:00pm - 3:30pm

Afternoon Tea

3:30pm - 5:00pm

Parallel Session 2

5:00pm - 7:00pm

Drinks Reception

Parallel Session 1

1:00pm - 3:00pm

Staff Common Room Level 2

Panel: Australian Constitutional Values

Ashleigh Barnes

James Stellios

Scott Stephenson

Shreeya Smith

CHAIR: Rosalind Dixon

Boardroom Level 2

The Australian Feminist Legislation Project: Rewriting Constitutions and Human Rights Instruments for Gender-Based Justice

Julie Debeljak: 'The Australian Feminist Legislation Project' (on behalf of the Editors: Becky Batagol, Kate Seear, Heli Askola and Jamie Walvisch)

Kcasey McLoughlin: 'Re-writing and Re-imagining Rights: Enshrining Gender Equality in Australia's Constitution' (co-authored with Yee-Fui Ng)

Margaret Thornton: 'Commentary on Re-writing and Re-imagining Rights'

Tania Penovic: 'Re-charting the Victorian Charter of Human Rights: Advancing Equality in Human Rights Legislation' (co-authored with Julie Debeljak)

Kate Eastman: 'Commentary on Re-Charting the Victorian Charter of Human Rights: Advancing Equality' (**REMOTE SPEAKER**)

Julie Debeljak: 'An Overview of Re-charting the Victorian Charter of Human Rights: Advancing Enforcement in Human Rights Legislation' (co-authored with Tania Penovic)

CHAIR: Julie Debeljak

Moot Court Level 1

After the referendum: Reflections and potentials

Anthony Gray: 'The Legal Mechanics Necessary to Change the Date'

Narelle Bedford: 'The Potential Impact of the Truth-Telling and Healing Inquiry in Queensland'

Jacob Deem: 'Constitutional Values in the wake of the Voice Referendum'

Room 204 Level 2

Alysia Blackham, 'Equality Rights as Human Rights: Framing in Public Law Across and Beyond the Tasman'

Phoebe Galbally and Darshan Datar: 'Public Holidays'

Timothy Kuhner: 'Oligarchy: Corruption, a Human Rights Violation, or the New Political Liberalism?'

Julie Copley (presenting paper): Lynda Crowley-Cyr, Francis Gacenga, Geoff Keating, Margaret Voight: 'More than arm-waving: new thinking about housing'

Parallel Session 2

3:30pm - 5:00pm

Staff Common Room Level 2

Towards an Institutional Account of Interpretation

This panel will include Rosalind Dixon, Lisa Burton Crawford, Jason Varuhas (**REMOTE SPEAKER**), Lynsey Blayden.

CHAIR: Martin Hill

Boardroom Level 2

Public Law Research Project Showcase

Janina Boughey: 'Public law accountability of outsourced government services'

Harry Hobbs: 'A Made in Australia Model for Indigenous-State Treaty-Making'

Tamara Tulich: 'The Australian Preventive Justice Project'

Murray Wesson, Sarah Murray, Tamara Tulich, Jacinta Dharmananda: 'Digitising the Drafting of the Australian Constitution'

CHAIR: Sarah Murray

Moot Court Level 1

Niamh Kinchin: "Voiceless": The Procedural Gap in Algorithmic Justice'

Julie Falck: 'Practicing what we preach: Applying administrative law norms to assessment in legal education'

Kim Rubenstein: 'Gender, citizenship and administrative justice- a 15 year pro-bono administrative law story'

Timnah Baker: 'Noncitizen litigation in the evolution of public law and rights discourse in Australia'

Room 204 Level 2

Panel: Executive Power in Australian constitutional law

Shreeya Smith

Peta Stephenson & Samuel White

Kelly Shuttleworth: 'Constitutional Conventions and the operation of War Powers: Lessons on their Nature and Effectiveness from the UK and Canada'

CHAIR: Anne Twomey

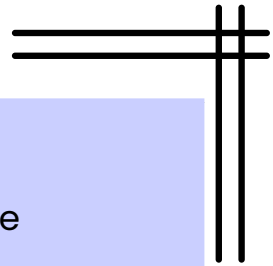
Room 353 Level 3

George Duke: 'A Constitution of Values?'

Timothy Kuhner: 'Oligarchy: Should Public Law Respond?'

Xiangyu Ma: 'Stealth Legislative Preemption in Contemporary China: Authoritarian Legality, Central-Local Relations, and China's First Constitutional Ruling'

Overview



9:45am - 10:15am

Arrival: **Level Four Bridge**
Light Morning Tea available

10:15am - 10:30am

Welcome and Welcome to Country

10:30am - 12:00pm

Plenary Conversation:
Professor Theunis Roux, UNSW Law School;
Professor Ben Schonthal, Otago Law School

12:00pm - 1:00pm

Lunch

1:00pm - 2:30pm

Parallel Session 3

2:30pm - 3:00pm

Afternoon Tea

3:00pm - 4:30pm

Parallel Session 4

4:30pm - 5:00pm

Coffee Break

5:00pm - 6:00pm

Plenary Conversation:
The Hon. Justice Louise Taylor, Supreme
Court of the ACT; The Hon. Justice Joe
Williams, Te Kōti Mana Nui / Supreme Court
of New Zealand

6:00pm - 7:00pm

Conference close; Drinks Reception

Parallel Session 3

1:00pm - 2:30pm

Staff Common Room

Comparative Constitutional Law

Adrienne Stone: 'Constitutional Theory in a Comparative Context' (with Lulu Weis (**REMOTE SPEAKER**))

Rosalind Dixon & Elisabeth Perham: 'Constitutional Theorising – Comparatively'

Commentators: Farrah Ahmed and Murray Wesson

CHAIR: Dr Ashleigh Barnes

Room 2 Level 4 Boardroom

Unpacking the Parliamentary Joint Committee on Human Rights Inquiry into Australia's Human Rights Framework: A Human Rights Act for Australia?

Cristy Clark: 'Socioeconomic rights, justiciability, and the Australian Constitution'

Laura Grenfell: 'Executive and Parliamentary Human Rights Scrutiny'

Julie Debeljak: 'Enforcement Mechanisms: Rights-Compatible Interpretation and Obligations on Public Authorities'

John Tobin: 'Participation Rights for Children'

Tamara Walsh and Dominique Allen: 'Resolving Human Rights Complaints: Early Resolution and Conciliation'

CHAIR: Julie Debeljak

Room 3 Seminar Room 403

Indigenous Water Rights in Australia, New Zealand, Canada and the US

Panel:

Simon Young

Virginia Marshall

Sharon Mascher

Sarah Down (**REMOTE SPEAKER**)

CHAIR: Simon Young

Room 4 Seminar Room 419

National Security and Public Law

Danielle Ireland-Piper: 'National Security Exceptions in Public Law: Termites or Tunnels'

Brendan Walker-Munro: 'Research Security and the Role of Universities' (**REMOTE SPEAKER**)

John Ip: 'The Case for an Independent Reviewer of Counterterrorism Legislation in New Zealand'

Parallel Session 4

3:00pm - 4:30pm

Staff Common Room

Sascha Mueller: 'Fast-track Legislation and Quasi-Emergencies'

Andrew Edgar: 'Democratic Legitimacy of Regulation-Making in the UK and Australia: The Impact of Semi-Parliamentarism'

Hanna Wilberg: 'Watching over the Watchdog: do we need judicial review of the Ombudsman?' (**REMOTE SPEAKER**)

Dean Knight: 'Declaratory remedies in judicial review and the prudential exercise of power'

Room 2 Level 4 Boardroom

Sean Brennan: 'A Constitutional Case Testing Australian Government Liability for Aboriginal Dispossession'

Marcelo Rodriguez Ferrere: 'Comity, Cabinet and the Waitangi Tribunal'

Ron Levy: 'The Right to a Referendum: Rethinking the Entitlement to Group Autonomy and Secession Processes'

Room 3 Seminar Room 403

Ashleigh Barnes/Jemimah Roberts: 'Overruling Constitutional Precedent: A Comparative Perspective'

Ayesha Wijayalath: 'The colonial legacy of parliamentary sovereignty and abusive constitutional change in Sri Lanka'

Sarah Murray: 'Public Law, Legitimacy and the Democratic Potential of the Therapeutic Judgment'

Lida Ayoubi: 'New Zealand Bills of Rights Act 1990 in a New Constitutional Dialogue'

Room 4 Seminar Room 419

Legesse Mengie: 'Non-Judicial Constitutional Review and the Rule of Law: The Case of Ethiopia'

Shakhawat Hossain: 'Impact of Over-Speaking by the Chief Justice on Public Confidence in the Judiciary of Bangladesh'

Jessica Kerr: 'Studying Judges Across the Tasman'