The decade after 11 September 2001 saw the enactment of anti-terror laws around the world that challenged understandings and assumptions about public institutions, human rights and constitutional law. Many of those laws remain on the statute books and continue to have a profound impact on constitutionalism and the rule of law.

One of the most striking and rapid areas of development has been the conferral of increased powers of surveillance on law enforcement and intelligence agencies. The 2012 Workshop will examine the nature of these powers, and their impact on constitutionalism at the domestic and international levels. Some of the issues that the Workshop may cover are:

- the changing (and expanding) design of surveillance powers;
- the ‘new’ purposes for which surveillance material is used, in particular, as evidence in criminal trials and in the making of preventative orders;
- the implications of the increasing use of surveillance materials for human rights, such as on the freedom of movement, principle of non-discrimination, freedoms of speech and association, and privacy rights;
- the possibilities and limitations of constitutional review, and other oversight mechanisms (whether administrative or judicial);
- the challenges of surveillance in a changing technological environment; and,
- the comparative national experience of surveillance and other intelligence-gathering strategies in responding to the threat of terrorism.
Speakers

The Workshop will feature leading international and domestic researchers and practitioners on anti-terror law and constitutional law including: David Cole (Professor of Law at Georgetown University, USA); Conor Gearty (Professor of Human Rights Law at London School of Economics, UK); Ujjwal Kumar Singh (Professor of Political Science at Delhi University, India); Clive Walker (Professor of Criminal Justice Studies at University of Leeds, UK); the Honourable Justice Anthony Whealy (New South Wales Supreme Court) and George Williams (Anthony Mason Professor at University of New South Wales, Australia).

Abstracts

The organisers invite abstracts to be sent to Dr Fergal Davis at f.davis@unsw.edu.au by 9 May 2012. A decision regarding papers will be communicated to participants by 9 June 2012. Further inquiries about the event can be directed to this email address.

The organisers will waive any registration fee and will cover accommodation costs (at the Coogee Sands Hotel on Sydney’s Coogee Beach) for speakers whose abstracts are accepted for participation in the Workshop.

Speakers should seek to have their flights and incidental travel costs covered by their home institution. However, the organisers recognise that this may not always be possible. Accordingly, a limited travel fund is available to support speakers in the event that they require financial assistance. Requests for such assistance should be made when submitting abstracts to Dr Davis.

Publication of Workshop Papers

The organisers have secured the in principle agreement of Routledge to publish a selection of original papers presented at the Workshop. Speakers whose abstracts are accepted will need to submit draft papers for circulation in mid-October 2012. Final papers of up to 8000 words (including footnotes) will need to be submitted for publication in the edited book approximately two months after the Workshop.

Workshop Host

The Workshop will be hosted by the Gilbert + Tobin Centre of Public Law at the University of New South Wales in Sydney, Australia. Located in the eastern suburbs of Sydney, the University is close to Coogee Beach, the city centre and Sydney Airport.

The University of New South Wales is a leading Australian and international university. The Law School is highly regarded for its commitment to outstanding research and teaching in the field of constitutional law through its Gilbert + Tobin Centre of Public Law.

The Centre is running a five-year project on Anti-Terror Laws and the Democratic Challenge led by Professor George Williams and supported by the Australian Research Council. The overarching aim of the project is to determine how democratic nations can best reconcile traditional democratic processes, institutions, principles and individual freedoms with the likelihood that anti-terror laws granting war-time powers will remain in place for the foreseeable future.

Contact

All queries regarding the Workshop should be directed to:

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International Association of Constitutional Law Research Group

The research group addresses a range of issues related to constitutional law, international human rights law, terrorism and counter-terrorism legislation in a comparative, global perspective. Topics of interest include: separation of powers and the role of the judiciary; secrecy and the vindication of constitutional rights; terrorist financing; and, the control of States’ anti-terrorism activities. The research group convenes a workshop every year and runs a mailing list to which more than 150 scholars from seven different continents are registered.

The Chair of the research group is Professor David Cole, Professor of Law at Georgetown University. The co-ordinator of the research group is Federico Fabbrini, PhD Researcher at European University Institute, federico.fabbrini@gmail.com.