



Welcome to the March 2014 e-bulletin of the Gilbert + Tobin Centre of Public Law. This e-bulletin provides followers of the Centre's activities with a brief update on what has been happening since publication of our last [Newsletter](#) in January. You can always find out more about Centre projects, activities and news in between newsletters and these bulletins by going to the Centre's [website](#) which is regularly updated or by following us on [Twitter](#) and our recently repaired [Facebook](#) page (see below).

Directorship of the Centre

[Associate Professor Sean Brennan](#) has commenced as the Centre's Director taking over from [Professor Rosalind Dixon](#) who was the Acting Director from July 2013 to February 2014. During this time, Professor Dixon welcomed a healthy influx of Centre visitors, organised workshops and seminars involving an array of local and overseas talent and hosted a very successful February conference which included an excellent program of speakers and topics. I would like to thank Rosalind for her energetic leadership and the many contributions she made over this period.

People

The Centre has recently hosted a number of visitors including [Associate Professor Sarah Murray](#), University of Western Australia, who visited the Centre in February to continue her research on the role of the judiciary in Australia and [Dr Gabrielle Appleby](#) from the University of Adelaide also spent some time at the Centre just prior to its 2014 Constitutional Law Conference. [Emmanuelle Richez](#), from Concordia University in Montreal is currently at UNSW under an Endeavour Research Fellowship from February until June 2014. And finally, the Centre is pleased to have Agnieszka Deegan as our Social Justice Intern for Semester 1.

Facebook

We recently discovered a glitch with our Facebook page. We hope it is now fixed. New [posts](#) can be found at our page as of 2 April 2014.

Activities and Research

Over the last three months Centre people have contributed to debate on various public law issues including:

- the [new High Court challenge](#) to Queensland's bikie laws
- the prospects for [federal reform](#) after the State elections in Tasmania and SA
- recent unsuccessful government quests for [native title extinguishment](#) in the High Court
- the Abbott government's opportunities for [human rights reform](#)
- an [Irish proposal](#) to elect the Speaker of parliament by secret ballot
- the many portfolio [issues](#) facing Commonwealth Attorney-General George Brandis
- threatened [legal challenges](#) over cancelled mining licences
- a Centre [podcast](#) on the High Court's recent decision about mining leases and native title

Particular highlights over recent months include:

- Justice Stephen Gageler of the High Court launched [Human Rights Under the Australian Constitution](#) by George Williams and David Hume at the February Constitutional Law Conference. The second edition of this leading text is published by Oxford University Press
- the sixth edition of [Blackshield and Williams Australian Constitutional Law and Theory: Commentary and Materials](#) by Centre members George Williams, Sean Brennan and Andrew Lynch was published in February by Federation Press.

Awards and Prizes

Sir Anthony Mason is the Chair of the Centre's Advisory Committee and has been a tremendous supporter of Centre events and people, particularly young and emerging scholars. With his generous support, the Centre has just awarded the first Sir Anthony Mason PhD Award in Public Law to Keiran Hardy, who is currently completing his thesis with the Centre on 'Developing a Counter-Insurgency Model of Anti-Terrorism Law'. The establishment of this Award with

Sir Anthony's support is one of the legacies of Rosalind Dixon's period as Acting Director.

[Fergal Davis](#) was awarded the POLITICS Article prize for 2013. The article, *The Jury as a Political Institution in an Age of Counterterrorism*, was judged the best article published by the UK journal POLITICS in 2013.

Events

2014 Constitutional Law Conference and Dinner

On 14 February the Centre held its thirteenth annual conference on constitutional law: the 2014 Constitutional Law Conference and Dinner. This event attracted over 225 participants to hear top-quality papers and discussion of recent High Court cases and contemporary public law issues. The conference proceedings and book launch (see below) were followed that night by dinner at NSW Parliament House where the guest speaker was the Commonwealth Attorney-General, Senator the Hon George Brandis QC, who spoke on the topic *'The Constitution in 2030'*.

A selection of papers and webcast are available at the Centre [website](#).

Comparative Constitutional Law Roundtable

This workshop, organised by Professor Rosalind Dixon, was a discussion of an assortment of public law topics including *'The Right to Water in Comparative Perspective: Between Reasonableness, Proportionality and the Minimum Core'* by [Associate Professor Carlos Bernal Pulido](#), Macquarie University; *'The Imperial Origins of the Australian Constitution'* presented by [Dr Coel Kirkby](#), who joins Melbourne University soon; *'Constitutional Amendment as Democratic Override'*, a paper given by Rosalind Dixon; and *'Cricket, the Constitution & Advisory Opinions'*, by [Professor Stephen Ross](#) of Penn State Law.

Upcoming Events

Workshop on Party Cohesion and the Parliamentary Process

[Jessie Blackbourn](#) and Fergal Davis are organising a workshop at Parliament House in Sydney on Monday 23 June 2014 to look at rights review, party discipline and parliamentary processes. Conscious that Australia's Federal Parliament has a distinctive approach of 'political rights review' focused on a parliamentary joint committee, the workshop will engage a comparative perspective on how party discipline affects political rights review in other

jurisdictions. Professor Philip Cowley from the University of Nottingham in the UK, the leading researcher on backbench dissent in the House of Commons, is a confirmed speaker for the event. The [Call for Abstracts](#) has now closed.

2014 Postgraduate Workshop in Public Law

This workshop, being held on 17 and 18 July 2014, is an opportunity for higher degree research students in the field of public law to gain experience in presenting their work to their peers and the wider academic public law community in a critically constructive yet supportive environment. While there are several generalist conferences held each year which postgraduate students can attend, the Centre's biennial Postgraduate Workshop in Public Law is focused on public law issues and as such is an opportunity for students to network with others working in their area.

We welcome participation from research students in public law across Australia and overseas for one of our favourite regular events. The [Call for Abstracts](#) closes on 19 May 2014.

Keep the Date: 2015 Constitutional Law Conference and Dinner

Our annual flagship conference on constitutional law will again be held at the Art Gallery of New South Wales, with the Conference Dinner at Parliament House. Please put the date in your diary now: **Friday 13 February 2015.**

Associate Professor Sean Brennan
Director