ABOUT THE SPEAKERS

Dr Gabrielle Appleby (Associate Professor, University of New South Wales) teaches and researches in Australian public law. Her main interests are in the role of the executive and the nature and restraint of executive power. She also researches the judiciary and judicial power, and the role of government lawyers in the state. Gabrielle has taught in the public law field at several Australian universities, most recently at the University of Adelaide. In 2012, she was awarded her PhD from the University of Adelaide for her research on the constitutional role of the Solicitor-General in Australia. Gabrielle’s PhD was awarded the University Medal, the Dean’s Commenutation for Doctoral Thesis Excellence and the Brentham Prize for best original thesis.

Professor Mark Aronson (Emeritus Professor, University of New South Wales) has written books, articles and reports in various areas, ranging from criminal and civil procedural evidence, case management in complex criminal trials, racial vilification laws, and the tort liability of government to judicial review of administrative action and administrative law reform in an age of privatisation and government outsourcing. Mark taught at UNEFR between 1973 and 1996, and has worked as a consultant to a firm of solicitors in Sydney. He is the co-author, with Professor Matthew Groves, of Australia’s leading judicial review text, Judicial Review of Administrative Action (5th ed. 2013).

Professor Robin Creyke (Emeritus Professor, Australian National University) held the alumni Chair of Administrative Law at the ANU College of Law, and was Director of the Australian Centre for Military Law and Justice. In 2006, Robin was a member of the Administrative Review Council, and she is on the National Executive of the Australian Institute of Administrative Law and on the Administrative Law Committee of the Law Council of Australia. Robin was appointed as the Senior Member of the Administrative Appeals Tribunal at its Canberra Registry for the period 2008 to 2014, following her work as the part-time Integrity Adviser to the Australian Tax Offices. With Professor John McMillan, she is a co-author of Leading a Hearing Training Guide, of Government Action (3rd ed. 2012).

Professor Matthew Groves (Professor, Monash University) is a staff member of the Monash Law Faculty. Matthew has written and edited several books, the best known of which is Aronson and Groves, Judicial Review of Administrative Action (5th ed. 2013).

Justice Mark Leeming (Justice of Appeal, New South Wales Court of Appeal) practised at the New South Wales Bar since 1985, being appointed senior counsel in 2006 and was appointed a Judge of the Appeal Court of the Supreme Court of New South Wales in 2003. He has taught at the University of Sydney for some time since 2005, where he is Chalmers Lecturer in Equity, and is the co-author of two leading practitioner texts and a textbook on equity and trusts, and as Resisting Conflicts of Laws (2011) and Authority to Decide: The Law of Jurisdiction in Australia (2010). He has published widely in the areas of constitutional law, administrative law, equity, trusts and intellectual property. He is a member of the Editorial Board of the Journal of Equity and the Australian Bar Review, and is the section editor for Equity and Trusts for the Australian Law Journal.

Professor John McMillan AO (Emeritus Professor, Australian National University) served as Australia’s Information Commissioner from 2012 to 2014, as Commonwealth Commissioner from 2003 to 2008, and as Integrity Commissioner (acting) for the Australian Commissioner for Law Enforcement Integrity in 2007. With Professor Robin Creyke, he is a co-author of Control of Government Action (3rd ed. 2012). John was a founding member of the Freedom of Information Campaign Committee, which led the public campaign for enactment of the Freedom of Information Act 1982. He is a Fellow of the National Institute of Public Administration, a Fellow of the Australian Academy of Law, and former President of the Australian Institute of Administrative Law.

Dr Greg Wrixon (Lecturer, University of New South Wales) is the co-convenor of the course. He is a lecturer at UNSW. His research interests are in judicial review, state liability and public law generally. He teaches Administrative Law and has previously taught Contracts, Ethics and Tort at USYD. Greg was formerly employed as a commercial litigator at Corrs Chambers Westgarth and is currently a consultant to Whitley Lawyers and Consultants.

This course offers practitioners insights and practical knowledge from leading Australian Administrative Lawyers.

WEDNESDAY 11 MARCH
• Tribunals and merits review
• Judicial review under the Constitution: history and future

WEDNESDAY 18 MARCH
• Privautive clauses: politics, legality and the constitutional dimension
• The evolution, entrenchment and purpose of natural justice

WEDNESDAY 25 MARCH
• The jurisdictional errors of administrative law
• Holding government to its word: legitimate expectations and estoppel in administrative law

WEDNESDAY 1 APRIL 2015
• Jurisdictional error
• The difficulties of applying public law principles to private bodies: fairness in social and sporting clubs

9.15am to 12.30pm
At UNSW Kensington Campus,
The Law Building, Ground Floor, Room 602

www.cle.unsw.edu.au
The wealth of research and experience that the guest lecturers will provide ensures that this course is both current and relevant, as the course description below indicates. The course offers a broad range of topics, spanning remedies for state liability in tort, remedies for maladministration, judicial review, statutory interpretation, tribunal justice and public functions which are performed by private entities. It also looks at areas in which the law can develop and challenges the orthodox interpretations of public law’s limits. The course’s main topics will include:

**WEDNESDAY 11 MARCH**
9.15am to 10.30am  
**Speaker:** Robin CREYKE, Emeritus Professor, Australian National University  
**Topic:** Tribunals and merits review  
- What is a tribunal?  
- Tribunals’ place in the machinery of government  
- Distinguishing tribunals from courts  
- The concept and scope of merits review

10.30am Break

11.00am – 12.15pm  
**Speaker:** Dr Greg WEEKS, Lecturer, University of New South Wales  
**Topic:** Judicial review under the Constitution: history and future  
- The influence of US jurisprudence: why Marbury v Madison has been so important in Australia;  
- The role and scope of s 75(v) of the Constitution;  
- Who is an “officer of the Commonwealth”?  
12.30pm End

**WEDNESDAY 18 MARCH**
9.15am – 10.30am  
**Speaker:** Professor Mark ARONSON, Emeritus Professor, University of New South Wales  
**Topic:** Privative clauses: politics, legality and the constitutional dimension  
- Interpretation of privative clauses before and after Plaintiff S157;  
- Privative clauses in State jurisdictions and the effect of Kirk;  
- ‘No invalidity’ clauses and other future issues

10.30am Break

11.00am – 12.15pm  
**Speaker:** Professor Mathew GROVES, Monash University  
**Topic:** The evolution, entrenchment and purpose of natural justice  
- What is fairness and why is it important?  
- The application and source of natural justice;  
- Statutory exclusion

12.30pm End

**WEDNESDAY 25 MARCH**
9.15am – 10.30am  
**Speaker:** John MCMILLAN, Emeritus Professor, Australian National University  
**Topic:** The integrity branch and administrative oversight  
- The centrality of “government” for public law, and the question of whether it remains an organising principle in light of the state's increasing use of private sector bodies for governmental purposes;  
- Judicial review of private sector bodies and other remedies available against public bodies;  
- The extent to which different jurisdictions allow for substantive enforcement of legitimate expectations;  
- An analysis of recent cases which have featured judicial review of government policy.

10.30am Break

11.00am – 12.15pm  
**Speaker:** Dr Greg WEEKS, Lecturer, University of New South Wales  
**Topic:** Holding government to its word: legitimate expectations and estoppels in administrative law  
- The power of promises from public authorities;  
- The origins of the doctrine of legitimate expectations;  
- Contrasting developments in Australia, Canada and the UK?

12.30pm End

**WEDNESDAY 1 APRIL**
9.15am – 10.30am  
**Speaker:** Justice Mark LEEMING, Justice of Appeal, New South Wales Court of Appeal  
**Topic:** Jurisdictional error  
- The centrality of jurisdictional error in Australian judicial review;  
- The Constitutional element;  
- Comparison with the UK and analysis of jurisdictional error’s development in Australia.

10.30am Break

11.00am – 12.15pm  
**Speaker:** Dr Gabrielle Appleby, Associate Professor, University of New South Wales  
**Topic:** Parliamentary and judicial scrutiny of delegated legislation  
- Constitutional limits on delegation of legislative power;  
- Parliamentary scrutiny of delegations in theory and practice;  
- Judicial review of delegated legislation

12.30pm End

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