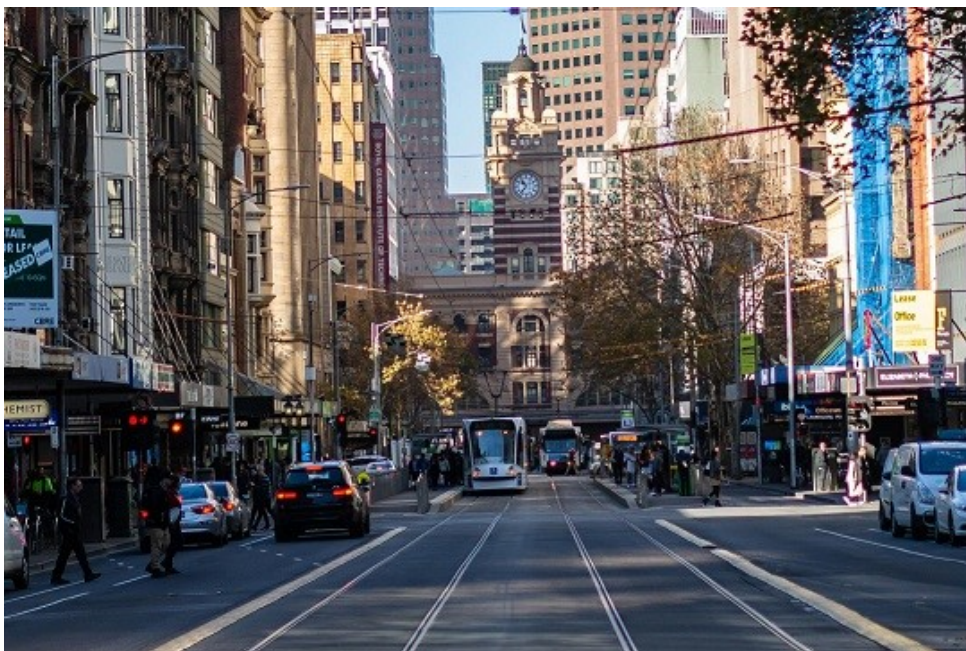


2021 AIAL National Administrative Law Conference

Administrative Law on the Edge

Thursday 22 and Friday 23 July 2021

RACV City Club, 501 Bourke Street , Melbourne, Victoria



The Conference invites discussion and debate on the many-faceted 'edges' of administrative law. It seeks to examine a number of themes and contemporary challenges in administrative law, including the nature of any 'boundary lines' of administrative law, the scope to challenge automated 'decision-making'. The current state of judicial review, the scope to challenge the exercise of non-statutory executive power and whether the performance of government functions that are 'outsourced' is outside administrative law bounds.

The Conference will be relevant to: government decision-makers; those affected by decisions, and their advisers; members of review bodies, tribunals and courts; policy developers; public lawyers; academics; and others with an interest in Australian administrative law.

Bookings: <https://www.trybooking.com/BQQRP>

Thursday 22 July 2021

- 10.00am Registration and arrival tea and coffee
10.40am Welcome by Emma Turner, Chairperson, Victorian Chapter of the AIAL
10.50am Welcome to Country
11.00am Opening Address

11.45am: Plenary Session 1: Keynote Address

- Speaker: **The Hon Justice Rachel Pepper**, Land & Environment Court of New South Wales
The Environment is all Rights: Constitutional Rights, Human Rights and Environmental Rights

12.15pm Plenary Session 2

- Speaker: **Dr William Bateman**, ANU College of Law
Administrative Decision Making – Artificial Intelligence, Automation and Administrative Law

1.15pm Lunch

2.15pm: Plenary Session 3

- Speaker: **Katie Miller**, AUSTRAC
Regulators and the Industry they Regulate

3.15pm Afternoon Tea

3.45pm: Plenary Session 4

- Speaker: **Peter Hanks QC**, Owen Dixon West Chambers
Administrative Law and Welfare Rights: a 40-year Story from Green v Daniels to 'Robot Debt Recovery' — Closing the Chapter

4.45pm—5.45pm Plenary Session 5: National Lecture on Administrative Law

- Speaker: **Professor Matthew Groves**, Alfred Deakin Professor, Deakin University Law School
The Attorney –General and the Public Interest

6.15pm Pre Dinner Drinks

7.00pm Conference Dinner

Venue: **Hotel Windsor**
111 Spring Street, Melbourne

Friday 23 July 2021

9.00am Registration and arrival tea and coffee

9.15am Concurrent Session 1

Stream 1.1 Technology and its Impacts on Administrative Law

Cain Sibley and Oliver Morris, Clayton Utz, Canberra

Accountability of Automated Decision-Making: Rise of HAL9000?

Stream 1.2 Exploring the Edge of Judicial Review

Douglas McDonald-Norman, Barrister, 8 Selbourne Chambers, Sydney

The Curate's Egg: When Illogical Premises Infest Ultimate Conclusions

Stream 1.3 Intersecting Areas of Law and Knowledge

Andrew Edgar, Associate Professor, The University of Sydney

From Witness Expenses to International Harmonised Private Standards: Dynamic Incorporation by Reference in Commonwealth Regulations

10.00am Morning Tea

10.30am Concurrent Session 2

Stream 2.1 Technology and its Impacts on Administrative Law

Sven Bluemmel, Information Commissioner, Office of the Victorian Information Commissioner

Artificial Intelligence and Privacy

Stream 2.2 Exploring the Edge of Judicial Review

Ethan Heywood BA LLB (Hons), Law Graduate, State Solicitor's Office for Western Australia

Judicial Review and Public/Private Divide: The Limits of the Datafin Public Function Test in Australia

Stream 2.3 Intersecting Areas of Law and Knowledge

Bruce Chen, Senior Lecturer, School of Law, Deakin University

Constitutional Freedoms: Relevance to Statutory Discretions

11.15am Concurrent Session 3

Stream 3.1 Technology and its Impacts on Administrative Law

David Tan, Lecturer, Office of the Victorian Information Commissioner

Treating Administrative Algorithms Like Humans: A Theory of Administrative Judicial Review

Stream 3.2 Exploring the Edge of Judicial Review

Grant Hooper, Associate Professor, University of Sydney,

The Rise of Materiality: the Cutting Edge of Developments in Judicial Review of Administrative Decisions or Just Smoke and Mirrors?"

Stream 3.3 Intersecting Areas of Law and Knowledge

Amanda Sapienza, Senior Solicitor, NSW Crown Solicitor's Office

Judicial Review on the Edge of Statutes: Where Statutory and Non-Statutory Powers Intersect

12.00pm Lunch

1.00pm Concurrent Session 4

Stream 4.1 Technology and its Impacts on Administrative Law

Mick Batskos, Executive Director, FOI Solutions

Is Technology Killing Freedom of Information?

Stream 4.2 Exploring the Edge of Judicial Review

Julian R Murphy, PhD Student, University of Melbourne

Mercy and Judicial Review – the Reviewability of the Prerogative of Mercy

Stream 4.3 Intersecting Areas of Law and Knowledge

Eliza Bergin, Barrister, Foley's List and **Peter Gray QC**, Victorian Bar

Compulsory notices in Royal Commissions and other statutory Inquiries – justice with efficiency or mission creep?

1.45pm Closing comments

2.00PM Conference close

Displays at the conference

Do you have an administrative law program or activity that would be appropriate for a display at the Conference? The Institute welcomes displays from government agencies, tribunals, academic institutions, publishers and law firms.

For more information, contact the AIAL Secretariat on 02 6290 1505 or email aial@commercemgt.com.au.

Conference venue



RACV City Club offers 460 car parking spaces, providing safe and convenient parking which is available to Club members, guests, visitors and the general public.

For more information on parking see:

<https://www.racv.com.au/travel-leisure/racv-club/city-club/facilities/car-park.html>

Accommodation information

Hilton Melbourne Little Queen Street

18 Little Queen St, Melbourne VIC 3000

1 minute walk to the RACV Centre

Trams 86 and 96

<https://www.hilton.com/en/hotels/melamhi-hilton-melbourne-little-queen-street/>

Mantra on Little Bourke Melbourne

471 Little Bourke St, Melbourne VIC 3000

2 minute walk to the RACV Centre

Trams 86, 96 and 58

<https://www.mantra.com.au/victoria/melbourne-and-surrounds/melbourne/accommodation/hotels/mantra-on-little-bourke/>

Wyndham Hotel Melbourne

199 William St, Melbourne VIC 3000

3 minute walk to the RACV Centre

Tram 58

<https://www.wyndhamhotels.com/wyndham/melbourne-australia/wyndham-melbourne-on-william/overview>

How to Register

Register online via TryBooking link below:

<https://www.trybooking.com/BQQR>

Registration deadline: **COB Thursday 15 July 2021.**

Registration Fees:

Note: *Conference dinner is included in the registration fee for delegates to this Conference with the exception of the concession and student registration fee.*

Member	\$820.00
Non Member	\$920.00
Group (3 or more)	\$740.00
Community & Academic	\$490.00
Student & Concession	\$60.00 (Dinner not included)
Conference Dinner only	\$130.00

Delegates will receive confirmation of their registration and payment.

Please note: Conference papers which are available may be sent by email following the Conference. Some papers will be published in the *AIAL Forum* at a later date.

CLE/CPD points are available if this educational activity is relevant to your immediate or long term needs in relation to your professional development and practice of the law. Please contact your local Law Society for further details.

WA practitioners should contact the AIAL WA Chapter Secretary for details of the WA CPD points allocation for each session.

Inquiries: All inquiries should be directed to:

AIAL National Secretariat

Phone: 02 6290 1505

Email: aial@commercemgt.com.au

Terms and Conditions

1. "AIAL Members" are current financial members of the AIAL.
2. All prices are stated in Australian Dollars (\$AUD) and include GST. Payments must be made in Australian dollars.
3. Cancellations must be submitted in writing to aial@commercemgt.com.au prior to COB Thursday 15 July 2021 and will incur an administrative fee of \$60.00 (Incl. GST). No refunds will be provided after COB Thursday 15 July 2021.
4. AIAL reserves the right to amend any part of the Conference program. If amendments are made to the program, an updated copy of the Conference program will be available on the AIAL website at www.aial.org.au.
5. All attendees must comply with any venue COVID-19 restrictions including the wearing of masks and the use of Services Victoria Mobile phone App if required.
6. In the event that the Conference is cancelled or attendees are unable to enter Victoria due to their home state or postcode being declared a "Red Zone" under Victorian COVID-19 regulations, tickets will be refunded.
7. Where travellers are able to enter Victoria but face restrictions on return travel to their home state, any refund will be at the sole discretion of the AIAL.