



Australasian Study
of Parliament Group

Annual Conference 2023

Freedom of Speech, Debate and Information

Conference Information
Circular No 4
August 2023



Perth

27 – 29 September 2023



Hosted by the Parliament of Western Australia



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ASPG President's Foreword

There has been a fabulous response to the call for Expressions of Interest to present a paper at the 2023 ASPG Conference on the theme of ***Freedom of Speech, Debate and Information***. The full Conference programme is included in this Circular and includes presenters from the UK, US, Canada, New Zealand and Australia.

Our two Keynote Speakers, Professor Arif Ahmed MBE and Hon Robert French AC, have generously agreed to take questions after their speeches. The rest of the Conference sessions will feature three or four presenters followed by a 30-minute general discussion, in which comments, as well as questions, will be welcomed. We will also be hosting an international panel discussion, following the presentation of jurisdiction reports on the Conference theme from English, Canadian and New Zealand delegates.

Exchanging ideas through networking is also an integral part of Conferences and the WA Chapter will be hosting a Welcome Cocktail Reception at Government House, the Conference Dinner, and the Presiding Officers' Farewell Drinks.

Looking forward to welcoming you to the 2023 ASPG Conference in Perth!

Dr Isla Macphail
ASPG President



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Keynote Speakers



DR ARIF AHMED MBE, Professor of Philosophy, Fellow of Gonville and Caius College, University of Cambridge, will open the Conference live from London. Professor Ahmed studied mathematics at the University of Oxford and Philosophy at Sussex and Cambridge Universities. His philosophical outlook is individualistic, atheistic and empiricist and his work applies this approach to questions in metaphysics, the theory of rational choice and the philosophy of religion. Professor Ahmed has campaigned for many years in defence of free speech and academic freedom. In recognition of this work he was awarded an MBE in 2021 and the Trustees' Award by Index on Censorship. In 2022 Professor Ahmed was appointed a Commissioner to the Board of the UK Equality and Human Rights Commission, and in June 2023 he was appointed as the inaugural Director for Freedom of Speech and Academic Freedom at the UK Office for Students following the passage of the UK *Higher Education (Freedom of Speech) Act 2023*.



HON ROBERT FRENCH AC, will open the second day of the Conference. Robert French served as Chief Justice of Australia from 1 September 2008 until 29 January 2017. He is a graduate of the University of Western Australia in science and law. Mr French served as a Judge of the Federal Court of Australia from November 1986 until his appointment as Chief Justice of the High Court. Since his retirement as Chief Justice, Mr French has been appointed as a Non-Permanent Justice of the Hong Kong Court of Final Appeal (May 2017), as an International Judge of the Singapore International Commercial Court (January 2018), and as a Judge of the Court of Appeal of the Dubai International Financial Centre (June 2019). From December 2018 to March 2019 Mr French conducted an independent review of freedom of speech in Australian Higher Education providers. Mr French was elected as Chancellor of the University of Western Australia in December 2017.



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Special Guest Speaker



NADINE STROSSEN, New York Law School Professor Emerita and past national President of the American Civil Liberties Union (ACLU) from 1991 to 2008, will present a special address live from Los Angeles. Professor Strossen is a Senior Fellow with FIRE (the Foundation for Individual Rights and Expression) and a leading expert and frequent speaker/media commentator on constitutional law and civil liberties, who has testified before Congress on multiple occasions. She serves on the advisory boards of the ACLU, Academic Freedom Alliance, Heterodox Academy, and National Coalition Against Censorship. The *National Law Journal* has named Professor Strossen one of America's '100 Most Influential Lawyers'. She is the author of *HATE: Why We Should Resist It with Free Speech, Not Censorship* (2018) and *Free Speech: What Everyone Needs to Know* (forthcoming October 2023). In 2023 the National Coalition Against Censorship selected Professor Strossen for its Lifetime Achievement Award for Free Speech.



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Conference Presenters & Panellists

Name	Position
Professor James Allan	Garrick Professor of Law, University of Queensland
Frances Arguelles	Principal Council Officer, Legislative Council of New South Wales
Professor Arif Ahmed MBE	Professor of Philosophy, University of Cambridge Commissioner, UK Equality and Human Rights Commission Director for Freedom of Speech and Academic Freedom, UK Office for Students
Dr Joel Bateman	Committee Secretary, Australian House of Representatives
Cecilia Edwards	Hansard Editor, Parliament of New Zealand PhD candidate, Te Herenga Waka – Victoria University of Wellington
Charles Feldman	President, Canadian Study of Parliament Group
Catherine Fletcher	Information Commissioner for Western Australia Commissioner, ex officio, State Records Commission
Hon Robert French AC	Chancellor of the University of Western Australia Former Chief Justice of the High Court of Australia
David Gibson	Chair, GRAI – GLBTI Rights in Ageing Inc
Ben Harvey	Chief Reporter, Seven West Media (WA) Producer/presenter: <i>Up Late with Ben Harvey</i>
Dr Colin Huntly	Barrister and Member of the Administrative Appeals Tribunal Sessional Academic, Professional Legal Training, Curtin University
Liam Laurence Smyth	Clerk of Legislation, UK House of Commons
Neil Laurie	Clerk of the Parliament, Queensland Parliament



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Conference Presenters & Panellists

Name	Position
Dr Colleen Lewis	Honorary Professor, Australian Studies Institute Australian National University
Shane Love MLA	Leader of The Nationals WA Leader of the Opposition WA
Kate Mihaljek	Principal Council Officer, Legislative Council of New South Wales
Patrick O'Brien	Committee Manager, Legislative Council of Victoria
Vanessa O'Loan	Director – Corporate and Protocol, Parliament of New South Wales
Dr Scott Prasser	Public policy analyst and commentator Former senior academic and public servant
Caroline Spencer	Auditor General for Western Australia Commissioner, ex officio, State Records Commission
Thomas Spencer	PhD candidate in Constitutional Law, University of Southern Queensland
Professor Nadine Strossen	New York Law School Professor Emerita Past national President of the American Civil Liberties Union Senior Fellow with the Foundation for Individual Rights and Expression
Rachel Tan	Teaching Fellow, Faculty of Law, University of Waikato PhD candidate, University of Waikato
Ophelia Tynan	Inquiry Secretary, Australian House of Representatives
David Wilson	Clerk of the New Zealand House of Representatives



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Critical Dates

Please note the final Conference registration/submission dates below:

Registration for the Conference	Friday 11 August
Submission of electronic copy of Conference paper/PowerPoint slides	Friday 15 September
Submission of final version of Conference paper to APR Editor	Friday 6 October



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Conference Program

Wednesday 27 September	
12.00 pm – 3.00 pm	Early Registration Forrest Foyer, Parliament House Optional building and art tours of Parliament House Leaving from the Forrest Foyer at: <ul style="list-style-type: none">• 12.00 pm• 1.00 pm• 2.00 pm
1.00 pm – 2.30 pm	Optional walking tour to King's Park Leaving from the Forrest Foyer to visit the Botanical Gardens and Treetop Walkway in nearby King's Park. Tour will return to Parliament House.
1.00 pm – 2.30 pm	ASPG Executive Meeting Legislative Assembly Chamber
2.45 pm – 3.45 pm	ASPG AGM Legislative Assembly Chamber
5.30 pm – 7.00 pm	Welcome Cocktail Reception Government House 13 St Georges Terrace, Perth



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Conference Program

Thursday 28 September	
8.30 am – 9.00 am	Registration Forrest Foyer, Parliament House Coffee, tea and pastries Edith Cowan Foyer
9.00 am – 9.20 am	Welcome to Country and Welcome to Conference*
9.20 am – 10.30 am	Session 1 – Keynote Speech (live from London) Professor Arif Ahmed MBE <i>Arguing for Free Speech in the 21st Century</i>
10.30 am – 10.50 am	Morning Tea Parliament House Courtyard
10.50 am – 12.40 pm	Session 2 – Freedom of Speech: Article 9 and the Overton Window Thomas Spencer <i>Article 9 of the Bill of Rights: An Historical, Practical and Philosophical Primer</i> Dr Colin Huntly <i>Reception Issues: Check Your Regional Settings</i> David Gibson <i>Queering Up the Debate: Freedom of Speech Seen Through an LGBTI Lens</i> Professor James Allan <i>Who Will Guard the Free Speech Guards? Who Does Better than the Voters and Elected Politicians?</i>
12.40 pm – 1.20 pm	Lunch Parliament House Courtyard

*All conference proceedings will be hosted in the Members' Dining Room.



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Conference Program

Thursday 28 September	
1.20 pm – 2.45 pm	<p>Session 3 – Freedom of Speech and Exclusive Cognisance</p> <p>Joel Bateman and Ophelia Tynan <i>Unparliamentary Language: Self-regulated Freedom of Speech</i></p> <p>Frances Arguelles and Kate Mihaljek <i>The Role of the NSW Legislative Council Privileges Committee in Disciplining Members for Alleged Abuse of the Privilege of Freedom of Speech and Debates – A Comparative Study and Look into the Future</i></p> <p>Cecilia Edwards <i>Curating the Record of Free Speech in Parliament</i></p>
2.45 pm – 3.00 pm	<p>Afternoon Tea Parliament House Courtyard</p>
3.00 pm – 4.30 pm	<p>Session 4 – Freedom of Speech: International Perspectives</p> <p>Jurisdiction Reports</p> <ul style="list-style-type: none">• Liam Laurence Smyth (UK)• Charles Feldman (Canada)• David Wilson (New Zealand) <p>Panel Members</p> <ul style="list-style-type: none">• Professor James Allan• Dr Colleen Lewis
6.00 pm – 10.00 pm	<p>Conference Dinner Sunset drinks & canapés from 6.00 pm; dinner from 7.00 pm.</p> <p>C Restaurant in the Sky (revolving restaurant) Level 33, St Martin's Centre 44 St Georges Terrace, Perth</p>



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Conference Program

Friday 29 September	
9.00 am – 9.30 am	Coffee, tea and pastries Edith Cowan Foyer
9.30 am – 10.30 am	Session 5 – Keynote Speech Hon Robert French AC <i>Your Freedom Ends Where My Nose Begins – But What if the Nose Moves</i>
10.30 am – 10.55 am	Morning Tea Parliament House Courtyard
11.00 am – 11:15 am	Special Guest Speaker (live from Los Angeles) Professor Nadine Strossen <i>Free Speech: Why it Matters</i>
11.20 am – 12.50 pm	Session 6 – Freedom of Information Catherine Fletcher <i>Access to Government Information for Government Accountability – The Past, Present and Future</i> Caroline Spencer <i>Role of the Auditor General Office in Promoting Government Transparency</i> Shane Love MLA <i>The Opposition has its Say; the Government has its Way – Ensuring Effective Opposition Through Access to Debate and Information</i>
12.50 pm – 1.30 pm	Lunch Parliament House Courtyard
1.30 pm – 1.45 pm	Conference Photograph Location TBC



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Conference Program

Friday 29 September	
1.45 pm – 3.15 pm	Session 7 – Freedom of Information Neil Laurie <i>Mount Erebus to Ann Street – Forty Years of Judicial Supervision of Ad Hoc and Permanent Commissions of Inquiry and the Intersection with Parliamentary Privilege and Doctrines of Mutual Respect</i> Vanessa O'Loan <i>The Inability of Committees to Compel Witnesses to Attend or Give Evidence Will Ultimately Undermine the Committee System</i> Dr Scott Prasser <i>Advice and Dissent – The Right to Hear for Those Eager to Know</i>
3.15 pm – 3.30 pm	Afternoon Tea Parliament House Courtyard
3.30 pm – 5.00 pm	Session 8 – Freedom of the Press Rachel Tan <i>Regulating the Use of Social Media by Government Agents: A Critical Evaluation</i> Patrick O'Brien <i>Writing Wrongs: Should We Give the Free Press a Free Pass?</i> Ben Harvey <i>Code of Silence: How Bikie Death Threats and Corporate Lawsuits Are Throttling Free Speech</i>
5.00 pm – 5.05 pm	Conference Wrap
5.05 pm – 6.15 pm	Presiding Officers' Farewell Drinks Parliament House Library



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Accommodation Options

The Parliament has been able to secure a Conference rate for the following CBD hotels. Most are within walking distance of the Parliament; others are close to bus stops. 'CAT' stands for 'Central Area Transit': free buses which operate on dedicated city loops. All buses, however, operate free of charge within the Perth CBD.

5-Star Accommodation	Rates	Bus Route
The Melbourne Hotel 33 Milligan Street, Perth +61 8 9320 3333 hello@melbournehotel.com.au (650m from Parliament House)	Contemporary or Premier room <ul style="list-style-type: none"> • \$235 per night with breakfast • \$210 per night without breakfast Rates valid until 31 August 2023 <i>Book directly quoting "ASPG23" or online by selecting "Group Attendee" and then quoting "ASPG23"</i>	<ul style="list-style-type: none"> • 30m walk to Red Cat (bus stop 16914) • Travel on Red Cat (to bus stop 16916) • 210m walk to Parliament House
Art Series – The Adnate 900 Hay Street, Perth +61 8 6371 1000 adnate.res@artserieshotels.com.au (800m from Parliament)	<ul style="list-style-type: none"> • \$249 per night for Studio King room Rates valid until 31 August 2023 <i>Book via this link: AccorHotels</i> <ul style="list-style-type: none"> • Company code: SCP4199533 • Access code: LE677AU392 	<ul style="list-style-type: none"> • 148m walk to Red Cat (bus stop 16914) • Travel on Red Cat (to bus stop 16916) • 210m walk to Parliament House
4-Star Accommodation	Rates	Bus Route
Quest Kings Park 54 Kings Park Road, West Perth +61 8 9420 8700 questkingspark@questapartments.com.au (1.3km from Parliament House)	<ul style="list-style-type: none"> • \$164 per night for Studio room Rates valid until 30 August 2023 <i>Book directly quoting "Australasian Study of Parliament"</i>	<ul style="list-style-type: none"> • 135m walk to Purple Cat (bus stop 10108) • Travel on Purple Cat (to bus stop 10114) • 378m walk to Parliament House
Quest Mounts Bay Road 130 Mounts Bay Road, Perth + 61 8 9480 8100 mountsbayroad@questapartments.com.au (700m from Parliament House)	<ul style="list-style-type: none"> • \$199 per night for Studio executive room • \$164 per night for Studio room Rates valid until 30 August 2023 <i>Book directly quoting "Australasian Study of Parliament"</i>	N/A Walking distance to Parliament House
The Tribe Perth 4 Walker Avenue, West Perth +61 8 6247 3333 stayingperth@tribehotels.com.au (1.3km from Parliament House)	<ul style="list-style-type: none"> • \$159 per night for Tribe City room • \$139 per night for Tribe Standard room Rates valid until 31 August 2023 <i>Book via this link: AccorHotels</i> <ul style="list-style-type: none"> • Company code: SCP4199533 • Access code: LE677AU392 	<ul style="list-style-type: none"> • 263m walk to Purple Cat (bus stop 10110) • Travel on Purple Cat (bus stop 10114) • 378m walk to Parliament House



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Accommodation Options

4-Star Accommodation – continued	Rates	Bus Route
Mantra on Murray 305 Murray Street, Perth +61 8 9347 7000 murray.res@mantra.com.au (1.2km from Parliament)	<ul style="list-style-type: none"> • \$200 per night King Studio • \$185 per night Queen Studio Rates valid until 31 August 2023 Book via this link: AccorHotels <ul style="list-style-type: none"> • Company code: SCP4199533 • Access code: LE677AU392 	<ul style="list-style-type: none"> • 150m walk to Red Cat (stop 10223) • Travel on Red Cat (to bus stop 12916) • 210m walk to Parliament House
Mercure Perth 10 Irwin Street, Perth +61 8 9326 7097 H1754@accor.com (1.8km from Parliament House)	<ul style="list-style-type: none"> • \$215 per night for Superior room • \$190 per night for Standard room Book directly quoting “ASPG Conference”	<ul style="list-style-type: none"> • 168m walk to catch bus 27 or 935 (bus stop 10079) • Travel on bus 27 or 935 (to bus stop 10093) • 456m walk to Parliament House
3-Star Accommodation	Rates	Bus Route
Ibis Murray Street 334 Murray Street, Perth +61 8 9322 2844 H1773@accor.com (1.2km from Parliament House)	<ul style="list-style-type: none"> • \$195 per night for Superior room • \$175 per night for Standard room Book directly quoting “ASPG Conference”	<ul style="list-style-type: none"> • 274m walk to Red Cat (bus stop 16913) • Travel on Red Cat (to bus stop 16916) • 216m walk to Parliament House
Ibis Styles East Perth 69 Adelaide Terrace, East Perth +61 8 7099 3408 h9318@accor.com (2.9km from Parliament House)	<ul style="list-style-type: none"> • \$171 per night for Deluxe king room • \$156 per night for Superior king room • \$146 per night for Standard king room Book via this link: IbisStyles <ul style="list-style-type: none"> • Company code: SCP4198841 • Access code: AS899AU986 	<ul style="list-style-type: none"> • 92m walk to catch bus 24 or 935 (bus stop 10072) • Travel on bus 24 or 935 (to bus stop 10093) • 456m walk to Parliament House