



Australasian Study
of Parliament Group

Annual Conference 2023

Freedom of Speech, Debate and Information

Program



Perth

27 – 29 September 2023



Hosted by the Parliament of Western Australia

ASPG President's Foreword

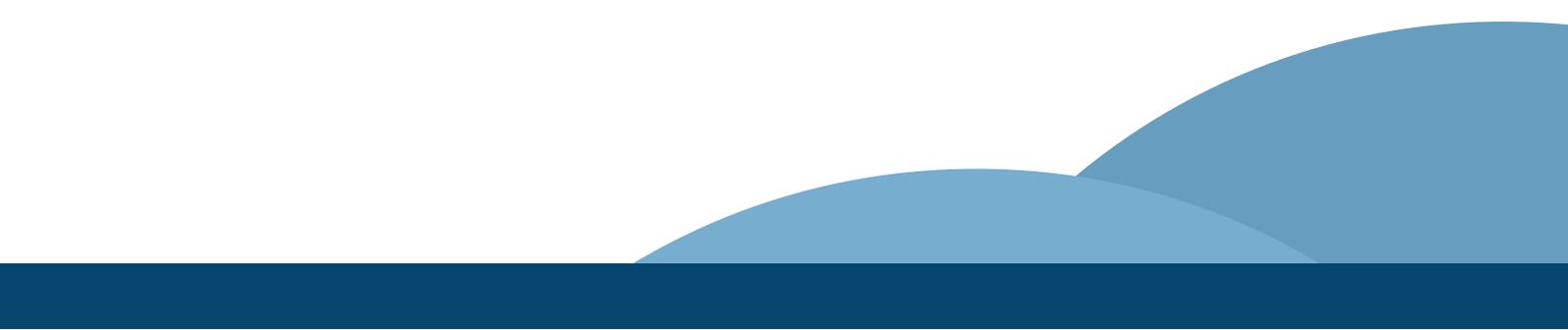
Registrations for the 2023 ASPG Conference have closed and it is pleasing to note that more than 120 people from across Australia, New Zealand, the UK, Canada, and the Cook Islands have registered to attend.

The finalised Conference programme is included in this Circular and comprises a broad and engaging array of topics canvassing the Conference theme of *Freedom of Speech, Debate and Information* from a range of perspectives. It is also pleasing to note, following the handing down by the High Court this week of its decision in *Crime and Corruption Commission v Carne*, that two of the Conference papers will reference this important parliamentary privilege case. The Conference programme now also lists the facilitators who will introduce the presenters and oversee the general discussions following presentations.

The ASPG is very grateful to presenters for taking the time to put together speeches and PowerPoints and is also extremely grateful to the keynote speakers, Professor Arif Ahmed OBE and Hon Robert French AC, and special guest speaker Professor Nadine Strossen, for supporting the ASPG Conference through their presentations—in Professor Ahmed's case remoting in at 2.00 am London time.



Dr Isla Macphail
ASPG President



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.

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.

Wednesday 27 September 2023

insert day theme

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 (aka the 'Sergeant's Saunter') Leaving from the Forrest Foyer to visit the Botanic Garden, Water Garden and Treetop 'Federation Walkway' in nearby King's Park. Tour will return to Parliament House.
1.00 pm – 2.30 pm	ASPG Executive Meeting Legislative Assembly Chamber <i>This meeting is for ASPG Executive members and ASPG Chapter representatives only.</i>
2.45 pm – 3.45 pm	ASPG AGM Legislative Assembly Chamber <i>This meeting is open to all ASPG members. You are most welcome to attend!</i>
5.30 pm – 7.00 pm	Welcome Cocktail Reception Government House 13 St Georges Terrace, Perth

Thursday 28 September 2023

insert day theme

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

8.30 am – 9.00 am	Registration Forrest Foyer, Parliament House Coffee, tea and pastries Edith Cowan Foyer
9.00 am – 9.20 am	Opening Formalities <ul style="list-style-type: none">• Cr Barry Winmar <i>Welcome to Country</i>• Hon Michelle Roberts MLA – Speaker of the Legislative Assembly <i>Welcome to Conference</i>• Dr Isla Macphail – ASPG President <i>Welcome on Behalf of the ASPG</i>
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> Facilitator: Dr Isla Macphail
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 <ul style="list-style-type: none">• Thomas Spencer <i>Article 9 of the Bill of Rights: An Historical, Philosophical and Practical 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 Guardians?</i> Facilitator: Scott Nalder
12.40 pm – 1.20 pm	Lunch Parliament House Courtyard

Thursday 28 September 2023

insert day theme

1.20 pm – 2.45 pm	Session 3 – Freedom of Speech and Exclusive Cognisance <ul style="list-style-type: none">• Ophelia Tynan <i>Unparliamentary Language: Self-regulated Freedom of Speech</i>• 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>• Cecilia Edwards <i>Curating the Record of Free Speech in Parliament</i> Facilitator: Dr Vaughn Koops
2.45 pm – 3.05 pm	Afternoon Tea Parliament House Courtyard
3.05 pm – 4.30 pm	Session 4 – Freedom of Speech: International Perspectives Jurisdiction Reports <ul style="list-style-type: none">• Liam Laurence Smyth (UK)• Charles Feldman (Canada)• David Wilson (New Zealand) Panel Members <ul style="list-style-type: none">• Professor James Allan• Dr Colleen Lewis Facilitator: Kirsten Robinson
6.00 pm – 10.00 pm	Conference Dinner Sunset drinks & canapés from 6.00 pm; dinner from 7.00 pm. C Restaurant in the Sky (revolving restaurant) Level 33, St Martin's Centre 44 St Georges Terrace, Perth

Friday 29 September 2023

insert day theme

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> Facilitator: Sam Hastings
10.30 am – 10.50 am	Morning Tea Parliament House Courtyard
10.50 am – 11:15 am	Special Guest Speaker (Live from Los Angeles) Professor Nadine Strossen <i>Free Speech: Why it Matters</i> Interviewer: Dr Isla Macphail
11.20 am – 12.50 pm	Session 6 – Freedom of Information <ul style="list-style-type: none">• 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> Facilitator: Professor John Phillipmore
12.50 pm – 1.40 pm	Lunch Parliament House Courtyard

Friday 29 September 2023

insert day theme

1.40 pm – 3.10 pm	Session 7 – Freedom of Information <ul style="list-style-type: none">• 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 Power to Compel the Attendance of Witnesses and the Giving of Evidence Before Committees – Lessons From the NSW Legislative Council</i>• Shane Hilton <i>A Voice for South Australia: The Journey So Far</i> Facilitator: Professor Colleen Lewis
3.10 pm – 3.30 pm	Afternoon Tea Parliament House Courtyard
3.30 pm – 5.00 pm	Session 8 – Freedom of the Press <ul style="list-style-type: none">• Professor Martin Drum <i>Freedom of the Press and its Limits: The Right to Speak Out and the Responsibility to Inform</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> Facilitator: Pauline Cullen
5.00 pm – 5.15 pm	Conference Wrap <ul style="list-style-type: none">• Hon Alanna Clohesy MLC – President of the Legislative Council• Dr Isla Macphail – ASPG President
5.15 pm – 6.15 pm	Presiding Officers' Farewell Drinks Parliament House Courtyard

Delegates

List correct as at

Australian Capital Territory	
Name	Position
Dr Luke Buckmaster	Director, Research Coordination, Parliamentary Library, Parliament of Australia
Pauline Cullen	Committee Secretary, Australian House of Representatives
Tom Duncan	Clerk, ACT Legislative Assembly
Fleur Hall	Director, Legislation and Records, Australian House of Representatives
Miona Ikeda	Acting Committee Secretary, ACT Legislative Assembly
Celeste Italiano	Executive Officer to the Clerk, ACT Legislative Assembly
Dr Colleen Lewis	Honorary Professor, Australian Studies Institute, Australian National University
Ashley Oakes	Hansard – Training Manager, Parliament of Australia
Dr Marian Sawyer AO	Emeritus Professor, Australian National University
Claressa Surtees	Clerk of the House of Representatives, Parliament of Australia
Ophelia Tynan	Inquiry Secretary, Australian House of Representatives
Adam Walker	Assistant Committee Secretary, ACT Legislative Assembly
Emma Wannell	Senior Research Officer, Australian Senate
Aleshia Westgate	Principal Research Officer, Australian Senate

Canada	
Name	Position
Charles Feldman	President, Canadian Study of Parliament Group

Cook Islands	
Name	Position
Stephen Matapo MP	Member, Parliament of the Cook Islands
Tutai Tura MP	Speaker, Parliament of the Cook Islands

Delegates

New South Wales	
Name	Position
Frances Arguelles	Principal Council Officer, NSW Legislative Council
Isabella Azzena	Parliamentary Officer, NSW Legislative Assembly
Robert Cummins	Senior Electorate Officer – Anna Watson MP, Parliament of New South Wales
Stephen Frappell	Acting Deputy Clerk of the Legislative Council, Parliament of New South Wales
Hon Sonia Horner MP	Deputy Speaker of the Legislative Assembly, Parliament of New South Wales
Ashley Kim	Research Officer, NSW Legislative Assembly
Jacqueline Linnane	Engagement Manager, NSW Legislative Assembly
David Macmath	Chamber Services and Tours, NSW Legislative Assembly
Kate Mihaljek	Acting Director, NSW Legislative Council
Helen Minnican	Clerk of the Legislative Assembly, Parliament of New South Wales
Vanessa O’Loan	Director – Corporate and Protocol, Parliament of New South Wales
Alex Read	Research Officer, NSW Legislative Assembly
Cheryl Samuels	Secretary, Australasian Study of Parliament Group
Allison Stowe	Principal Council Officer – Procedure, NSW Legislative Council
Mark Taylor MP	Member for Winston Hills, Parliament of New South Wales
Rohan Tyler	Director, Scrutiny and Engagement, NSW Legislative Assembly
James Vernon	Chief of Staff – Gareth Ward MP, Parliament of New South Wales
Gareth Ward MP	Member for Kiama, Parliament of New South Wales
Anna Watson MP	Member for Shell Harbour, Parliament of New South Wales
Jessica Zhang	Parliamentary Officer, NSW Legislative Assembly

Delegates

New Zealand	
Name	Position
Cecilia Edwards	Hansard Editor, New Zealand Parliament
David Wilson	Clerk of the House of Representatives, New Zealand Parliament
Lauren Zamalis	Hansard Editor, New Zealand Parliament

Northern Territory	
Name	Position
Mathew Bates	Clerk and Chief Executive Officer, NT Legislative Assembly

Queensland	
Name	Position
Professor James Allan	Garrick Professor of Law, University of Queensland
Clem Campbell OAM	Former Member, Queensland Parliament
Michael Hart MP	Member for Burleigh, Queensland Parliament
John-Paul Langbroek MP	Member for Surfer's Paradise, Queensland Parliament
Neil Laurie	Clerk of the Parliament, Queensland Parliament
Steve Minnikin MP	Member for Chatsworth, Queensland Parliament
Vanja Perovic-Vukotic	Senior Finance Officer, Queensland Parliament
Thomas Spencer	PhD candidate in Constitutional Law, University of Southern Queensland
Ray Stevens MP	Member for Mermaid Beach, Queensland Parliament

Delegates

South Australia

Name	Position
Shane Hilton	Parliamentary Officer, SA House of Assembly

Tasmania

Name	Position
Craig Muir	Principal Policy and Project Officer, Tasmanian Department of Premier and Cabinet

United Kingdom

Name	Position
Liam Laurence Smyth	Clerk of Legislation, UK House of Commons

Victoria

Name	Position
Keir Delaney	Assistant Clerk Procedure, Legislative Council of Victoria
Dr Vaughn Koops	Deputy Clerk of the Legislative Assembly, Parliament of Victoria
Foong Ling Kong	Editor of Debates, Parliament of Victoria
Patrick O'Brien	Senior Committee Manager, Legislative Council of Victoria
Dr Ben Reid	Data Journalist, Parliament of Victoria
Lilian Topic	Committee Manager, Parliament of Victoria

Delegates

Western Australia	
Name	Position
Kelly Alcock	Senior Projects Officer, WA Legislative Council
Stephen Brockway	Advisory Officer, WA Legislative Council
Hayley Brown	Parliamentary Officer (Procedure), WA Legislative Council
Marion Buchanan	Barrister, Murray Chambers
Jeremy Buxton	Policy Adviser, WA Department of the Premier and Cabinet
Nik Carbone	Parliamentary Officer, WA Legislative Assembly
Dr Alan Charlton	Principal Research Officer, WA Legislative Assembly
Michele Chiasson	Principal Research Officer, WA Legislative Assembly
Hon Alanna Clohesy MLC	President of the Legislative Council, Parliament of Western Australia
Gary Clyne	Researcher/Speechwriter, Western Australia
Kate Colleran	Manager, Parliamentary and Executive Govt Services, WA Department of the Premier and Cabinet
Caitlin Collins MLA	Member for Hillarys, Parliament of Western Australia
Brendan Crozier	Politics and Law Teacher, Aquinas College
Carmen Cummings	Research Officer, WA Legislative Assembly
Lara Dalton MLA	Member for Geraldton, Parliament of Western Australia
Ben De Vries	Secondary Teacher, Carey Baptist College
Hon Kate Doust MLC	Member for South Metropolitan Region, Parliament of Western Australia
Professor Martin Drum	Professor, Politics and International Relations Executive Dean – Arts, Sciences, Business and Law, University of Notre Dame Australia
Thabiya Faizan	Parliamentary Officer (Administration), WA Legislative Council
Anthony Fels	Former Member, Parliament of Western Australia
Kristy Fisher	Senior Legal Officer, WA Office of the Information Commissioner
Catherine Fletcher	Information Commissioner for Western Australia Commissioner, ex officio, State Records Commission

Delegates

Western Australia	
Name	Position
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)
Lachlan Gregory	Deputy Sergeant-at-Arms, WA Legislative Assembly
Ben Harvey	Chief Reporter, Seven West Media (WA) Producer/Presenter: <i>Up Late with Ben Harvey</i>
Sam Hastings	Clerk of the Legislative Council, Parliament of Western Australia
Daniel Hawkett	Research Officer, WA Legislative Council
Denis Hippolyte	Parliamentary Officer (Table and Publications), WA Legislative Assembly
Grant Hitchcock	Clerk Assistant (House), WA Legislative Council
Janet Hocken	Librarian, Parliament for Western Australia
TJ Hoekstra	Hansard Reporter, Parliament for Western Australia
Dr Colin Huntly	Barrister and Member of the Administrative Appeals Tribunal Sessional Academic, Professional Legal Training, Curtin University
Laura Hutchinson	Advisory Officer, WA Legislative Council
Simon Kennedy	Principal Project Officer, WA Department of the Premier and Cabinet
Liz Kerr	Clerk Assistant (Procedure), WA Legislative Assembly
Shane Love MLA	Leader of The Nationals WA Leader of the Opposition WA
Dr Isla Macphail	President, Australasian Study of Parliament Group Clerk Assistant (Committees), WA Legislative Assembly
Marie Martin	Parliamentary Officer, WA Legislative Assembly
Shoshanna McNerney	Clerk Assistant (Committees), WA Legislative Council
Thomas Moorhead	Sergeant-at-Arms, WA Legislative Assembly
Scott Nalder	Deputy Clerk of the Legislative Assembly, Parliament of Western Australia
Lee Pagotto	Policy Adviser, Office of the Leader of the Opposition (WA)
Professor John Phillipmore	Executive Director, John Curtin Institute of Public Policy Interim Director, National Centre for Student Equity in Higher Education

Delegates

Western Australia	
Name	Position
Dr Harry Phillips AM	Executive Member, Australasian Study of Parliament Group
Jesceline Requero	Parliamentary Officer, WA Legislative Assembly
Kirsten Robinson	Clerk of the Legislative Assembly, Parliament of Western Australia
Alex Roseveare	Head of Learning Area, Shenton College
Darren Seet	Parliamentary Officer, WA Legislative Assembly
Naomi Sherrington	Principal Research Officer, WA Legislative Assembly
Sophia Simpson	Committee Clerk, WA Legislative Council
Caroline Spencer	Auditor General for Western Australia Commissioner, ex officio, State Records Commission
Lauren Stanton	Vice President, Political and Legal Educators Association of WA
Venessa Steele	Hansard Reporter, Parliament of Western Australia
Dr Katrina Stratton MLA	Member for Nedlands, Parliament of Western Australia
Cr Michelle Sutherland	Teacher, Hale School
Hon Wilson Tucker MLC	Member for Mining and Pastoral Region, Parliament of Western Australia
Rachel Wells	Parliamentary Officer (Chamber Operations), WA Legislative Assembly
Lauren Wells	Parliamentary Officer (Committees), WA Legislative Council
Erin Wheatley	Policy Adviser, Office of the Leader of the Opposition (WA)
Rachael Wilkins	Research Officer, WA Legislative Assembly
Heather York	Chief of Staff, Office of the Leader of the Opposition (WA)



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