

Appendix

Contributors

1. Addresses

Professor James ALLAN, a Canadian by birth, was educated at WA Porter Collegiate, Scarborough, Toronto and at Queen's University, Ontario (BA, 1982; LLB, 1985), the London School of Economics (LLM, 1986) and the University of Hong Kong (PhD, 1994). After working at the Bar in Toronto and in London, he has since taught law in New Zealand, Hong Kong, Canada and the United States before appointment as Garrick Professor of Law at the University of Queensland in 2004. The author of numerous articles in professional legal journals, he says that, since moving to Queensland, he "has been revelling in a country not burdened with a Bill of Rights".

Professor Emeritus Ivan SHEARER was educated at St Peter's College, Adelaide and at Adelaide University (LLB, 1960; LLM, 1964) and Northwestern University, Chicago (SJD, 1968). After admission to practice in the Supreme Court of South Australia in 1961, he entered academic life – first at the University of Adelaide (1963-74), next as Professor of Law at the University of NSW (1975-92), and then as Challis Professor of International Law at Sydney University (1993-2003), before becoming (2004) Emeritus Professor at that University. During these years he also taught overseas, at All Souls College, Oxford, at the US Naval War College and Indiana University. During 2001-08 he was a member of the UN Human Rights Committee, and during 2004-08 a senior member of the Administrative Appeals Tribunal. He is the author of numerous articles in professional journals, and of several books on international law and the law of the sea.

2. Conference Contributors

Alan ANDERSON was educated at St Peter's College, Adelaide and at the University of Adelaide (BEC Hons, 1999; LLB Hons 2001). After working briefly as a software engineer and then as a solicitor in Melbourne (2002-06), he served for two years (2006-07) as a policy adviser with, first, Attorney-General Philip Ruddock and, second, Treasurer Peter Costello. He is presently employed in Sydney by a global managing consulting firm. He is the author, both in his own right and as a "ghost" writer, of numerous journal and newspaper articles on legal, political and social issues.

David BENNETT, AC, QC was born in England and came to Australia in 1951; he was then educated at Scots College, Sydney and at the University of Sydney (BA, 1961; LLB Hons, 1964) and Harvard University (LLM, 1965; SJD, 1970). After a brief period as a solicitor he went to the Bar in 1967, being appointed QC in 1979. During more than 30 years (1967-1998) practising as a barrister in all State and Territory jurisdictions, he held office in a number of legal professional bodies, including the NSW Bar Association (President 1995-97), the Australian Bar Association (President 1995-96), the International Commission of Jurists and the Medico-Legal Society of NSW (President 1988-90), among others. In 1982 he was elected to the Australian Academy of Forensic Science (President 1999-2001), and in 1998 became Commonwealth Solicitor-General, relinquishing that post in 2008. Apart from his record as a barrister, including on many occasions before the High Court of Australia, he is also the author of numerous articles in professional legal journals.

The Hon Bruce DEBELLE, AO, QC was educated at St Peter's College, Adelaide and at the University of Adelaide (LLB, 1960). Admitted to the South Australian Bar in 1962, he practised there as a barrister (QC, 1982) until his appointment as a Justice of the Supreme Court of South Australia in 1990. On retirement from that post in 2008 he was appointed an Acting-Justice of the Supreme Court of NSW. During his time at the Bar he served as a Commissioner in the Australian Law Reform Commission (1978-84) and held office in such bodies as the Law Society of South Australia (President, 1989-90) and the Law Council of Australia; subsequently he served as Deputy Chair (2004-06) and Chair (2006-08) of the Judicial Conference Australia. His interests outside the law have included serving as a local authority Councillor (1970-77); as Vice-President of the SA Rugby Union (1982-87); as a Trustee of the World Wildlife Fund Australia (1984-87); and as Chairman of the Australian String Quartet (1998-2001).

Miranda DEVINE was educated at the International School of the Sacred Heart in Tokyo, Japan; Loreto Convent, Kirribilli, Sydney; Macquarie University, Sydney (BSc (Maths), 1985); Northwestern University, Chicago, Illinois (MS (Journalism), 1987). She is a columnist with the *Sydney Morning Herald* and previously has worked as a columnist, assistant editor and police reporter with the *Daily Telegraph*, Sydney; as a feature writer with the *Boston Herald*, Boston, USA; as a reporter on a News International exchange at the *Sunday Times* in London, UK; and as a trainee technical officer at the CSIRO Division of Textile Physics, Sydney.

Hon John HATZISTERGOS was educated at Cleveland Street Boys High School, Sydney and the University of Sydney (BEC, 1982; LLB, 1983; LLM, 1994). After a period as a solicitor in private practice (1983-87) and the Commonwealth Department of Public Prosecutions (1987-89), he went to the Sydney Bar in 1989. After election for the Labor Party to the NSW Legislative Council in 1999 he has served in numerous ministerial portfolios, including as Minister for Justice (2003-05 and again in 2007-09), Minister for Health (2005-07), Attorney-General (2007 to date), Minister for Industrial Relations (2008) and Vice-President of the Executive Council (2009). He is the author of numerous articles in professional legal journals, as well as newspaper articles, on a wide range of topics.

Professor Dean JAENSCH, AO was educated at Clare High School and Adelaide Boys High School, and at Adelaide Teachers College (1955-56) and the University of Adelaide (BA Hons, 1967; MA, 1968; PhD, 1974). After a period as a school teacher (1957-68) he moved into academia, initially at the University of Adelaide (1969-71), then at Flinders University. After holding there a succession of posts he was appointed Professor of Politics in 1997. For the past 35 years he has been an active political commentator in the press, radio and TV. He is the author of some 20 books, and numerous articles in professional journals, mainly on Australian politics.

Julian LEESER was educated at Cranbrook, Sydney and the University of New South Wales (BA Hons, 1999; LLB, 2000). He was an elected delegate for Australians for Constitutional Monarchy at the 1998 Constitutional Convention, and subsequently served as a member of the "No" Case Committee for the Republic referendum. He has since served as Associate to then High Court Justice Callinan (2000), as Adviser to the then Minister for Employment and Workplace Relations, Hon Tony Abbott (2001) and as Special Adviser to the then Attorney-General, Hon Philip Ruddock (2004-06), with responsibility for constitutional law and court administration. A solicitor, he serves as Executive Director of the Menzies Research Centre and was recently narrowly defeated for Liberal Party pre-selection in the NSW federal electorate of Bradfield. In his spare time (sic) he is working on a biography of the late Sir William McMahon.

John NETHERCOTE was educated at Blakehurst High School, Sydney and the University of Sydney (BA, 1968). After joining the Commonwealth public service in 1970, he worked over the years for the Public Service Board, the Royal Commission on Australian Government Administration, the Public Service Commission of Canada and the Defence Review Committee. He joined the staff of the Senate in 1987 and his assignments there included Secretary to the Senate Standing Committee on Finance and Public Administration and overseeing publication of Odgers' *Australian Senate Practice* (6th edition). He also edited *Parliament and Bureaucracy* (1982) and was a joint editor of *The Constitutional Commission and the 1988 Referendums* (1988) and *The Menzies Era* (1995). Since retirement from the Senate staff he has written extensively for *The Canberra Times* on public service matters and edited *Liberalism and the Australian Federation* (2001). His latest work (with Scott Prasser and Nicholas Aroney, joint editors) is *Restraining Elective Dictatorship: The Upper House Solution?*

Bryan PAPE was educated at Wagga Wagga High School and the University of New South Wales (BComm, 1969) and was admitted to the NSW Bar in 1977, where he practiced, mainly in taxation litigation, for nearly 25 years. During this time he also served as a full-time member of the Taxation Board of Review No. 1 (1981-1984) and as a part-time member of the Australian Accounting Standards Board (1992-1994). In 2000 he took up appointment as Senior Lecturer in Law in the University of New England. He has had a long and active interest in public affairs, including in the New England Federal Electorate Council of the National Party. In early 2009, on his own initiative and at his own financial risk, he mounted a case in the High Court of Australia where, representing himself, he sought to have the Rudd Government's Tax Bonus legislation declared unconstitutional. Although narrowly unsuccessful (4 to 3) in that regard, the Court's judgments when dealing with the Commonwealth's defences represent major victories for constitutional propriety. As such, the *Pape Case* will come to hold an honoured place in the cause of constitutional federalism.

Professor Jonathan PINCUS was educated at St Joseph's College, Brisbane, the University of Queensland (BEcHons, 1964) and Stanford University (MA, 1970; PhD, 1972). He has since been a Fellow of the Institute of Advanced Studies, Australian National University (1974-85) and held chairs at Flinders University (Economic History, 1985-91) and the University of Adelaide (George Gollin Professor of Economics, 1991-2002). The author of several books and numerous articles in the professional journals, he was also joint Editor (1988-95) of *The Australian Economic History Review*. During 2002-08 he was Principal Adviser Research with the Australian Productivity Commission.

Hon Christian PORTER, MLA was educated at Hale School, Perth, at the University of Western Australia (BEc, 1990; BA Hons, 1993; LLB, 1996) and the London School of Economics (MSc, 2000). After admission to the WA Bar in 1996 he worked as a commercial litigator at Clayton Utz (1996-1999), as an adviser to the federal Minister for Justice (2001), and as a Senior State Prosecutor in the Office of the Director of Public Prosecutions for WA (2002-2007). During 2006 and 2007 he also lectured at, respectively, Edith Cowan University and the University of WA Law School. In February, 2008 he was elected for the Liberal Party to the WA Parliament at a by-election; at the general election later that year he was re-elected and was immediately appointed as Attorney-General in the new government. He is the author of a number of publications, conference papers and submissions to public inquiries.

Professor Scott PRASSER was educated at Ipswich Grammar School and at the University of Queensland (BA Hons, 1975; MPA, 1983) and Griffith University (PhD, 2004). After a period in the Queensland Public Service (1981-85) he entered academia, initially as a Senior Lecturer at RMIT (1985-89) and then at the University of Southern Queensland (1989-98). After a further

period (1998-2003) in the Queensland Public Service, principally in the Department of Premier and Cabinet, he returned to academia at the University of Sunshine Coast (2003-09). In 2009 he became Professor, and Director of the Public Policy Institute, at the Australian Catholic University in Canberra. He has many journal articles and several books to his credit.

Sir David SMITH, KCVO, AO was educated at Scotch College, Melbourne and at Melbourne and the Australian National Universities (BA, 1967). After entering the Commonwealth Public Service in 1954, he became in 1973 Official Secretary to the then Governor-General of Australia (Sir Paul Hasluck). After having served five successive Governors-General in that capacity, he retired in 1990, being personally knighted by The Queen. In 1998 he attended the Constitutional Convention in Canberra as an appointed delegate, and subsequently played a prominent role in the “No” Case Committee for the 1999 Republic referendum. While a visiting Scholar in the Faculty of Law of the Australian National University, his research did much to clarify the role of the Governor-General in Australia’s constitutional arrangements, culminating in his book *Head of State* (2005). In 2006 he became, and remains, President of The Samuel Griffith Society.

John STONE was educated at Perth Modern School, the University of Western Australia (BSc Hons, 1950) and then, as a Rhodes Scholar, at New College, Oxford (BA Hons, 1954). He joined the Australian Treasury in 1954, serving in a number of posts at home and abroad, including as Australia’s Executive Director in both the IMF and the World Bank in Washington, DC (1967-70). In 1979 he became Secretary to the Treasury, resigning from that post – and from the Commonwealth Public Service – in 1984. He has since been, at one time and another, a Professor at Monash University, a newspaper columnist, a company director, a Senator for Queensland and Leader of the National Party in the Senate (1987-90) and Shadow Minister for Finance. In 1996-97 he was a member of the Defence Efficiency Review, and in 1999 a member of the Victorian Committee for the No Republic Campaign. A principal founder of The Samuel Griffith Society, he has served on its Board of Management since its inception in 1992 and is Editor and Publisher of its Proceedings. Today he writes frequently for *Quadrant*. In 2008 he became a member of the Mont Pelerin Society.