

Introductory Remarks

Julian Leeser

Ladies and gentlemen, welcome to this, the 21st Conference of The Samuel Griffith Society.

This 21st Conference provides an appropriate time to reflect on the Society's mission, its successes and the challenges ahead. Seventeen years ago this society was founded by Sir Harry Gibbs together with John and Nancy Stone. John Stone, borrowing from Alexis de Toqueville, said at the time that the Society was formed “ ‘to advance some truth’, and ‘to foster some feeling’ in defence of our Constitution”. The fact that there have been 21 conferences means that the Society has been successful in achieving its aims. It has been influential in highlighting and encouraging debate about the problems of judicial activism, the Bill of Rights, republicanism and the attack on the federation.

As one of our members, who cannot be here, said to me “I am sad to be missing the conference because I regard the Samuel Griffith Society meetings as one the most enjoyable and best value weekends of the year”. These conferences provide us with an opportunity not only to hear stimulating papers but also to gather together and enjoy the company of friends from a range of backgrounds, States and occupations, all of whom feel proud of our country and want to defend our constitutional system. The friendships made and acquaintances renewed have been an unintended bonus of the work of the Society.

There are continuities and changes involved in any organisation. Since our last meeting several of our members have passed away and it is appropriate to recall their names: Edward Paterson, Judge Paul Healy, SEK Hulme, QC, Rev Fr Moore, Sir Peter Derham, Sir David Hay, and the Hon Peter Phillips. In addition, Frank Devine and Professor George Winterton, who were occasional speakers at our early conferences, have also passed away.

I joined the Society when I was 23. I am now 33. None of us is getting any younger! It is therefore important that we members of the Society reach out to new supporters who may share the Society's values but who may not be aware of its activities. It is a challenge for each of us to encourage new people to become involved in our Society. After all, there are few occasions in Australia where leading jurists, parliamentarians, academics, thinkers and ordinary citizens meet together and discuss ideas based on a shared view of our constitutional system.

This is the first conference which has not been convened by John Stone. After 20 conferences he decided to relinquish the role last year. I did not realise how much work would be involved in organising these events. Luckily I have been generously assisted by our Secretary, Bob Day and his Personal Assistant, Joy Montgomery. They have done the difficult and unglamorous logistical work associated with staging the conference. I would like to record my thanks to them.

I am very conscious of the great honour the Board has afforded me in becoming the Society's second Conference Convenor. I will respect and honour the traditions and high standards set by my predecessor John Stone.

The Board has previously determined that our 22nd Conference next year will be held in Western Australia. At this afternoon's Board meeting I will be outlining some ideas for that conference. There is one idea that, with the permission of our President, I want to share with you now. I should say it is an idea on which I have consulted all but one Board member (who has a conflict of interest). I have received the unanimous and enthusiastic support of all consulted.

I will be putting a proposal to the Board that a portion of next year's conference be set aside for a *festschrift* in honour of the contribution to debates on federalism and public policy of John and Nancy Stone. This is particularly appropriate as Western Australia is their State of origin. This would

be only the second occasion on which the Society has set aside part of its program for the purpose of a *festschrift* to honour one of its founders. This Society would not have started, continued or been as successful as it has been without the work of John and Nancy Stone. John may try to adopt a rear guard action against this proposal, but it is too late. To quote that great political philosopher Graham Richardson, “I have done the numbers”.

Now to our program.

Last night we were treated to an interesting new contribution to the Bill of Rights debate by Australia’s most distinguished international lawyer, Emeritus Professor Ivan Shearer. We are lucky that an Australian lawyer of considerable fortitude has served on the UN Human Rights Committee – often as a lone voice of reason. Professor Shearer’s address reminded us of some of the poor decisions and double standards that have resulted from the work of that Committee. As members of a Society dedicated to the rule of law we should support the good work of this fine Australian.

The theme of a Bill of Rights infuses our conference, with two papers this morning and a third tomorrow morning. Other issues which this conference will traverse include the judicial appointments debate and the threats to the South Australian Upper House. Of particular interest will be this morning’s sessions on federalism, including papers from former Commonwealth Solicitor-General David Bennett, which may provide counter-intelligence about how the Commonwealth approaches its quest for increased power, and Bryan Pape, whose efforts in the High Court gave many members of the Society a great deal of pride, and again demonstrate the value of the intellectual debate which this Society continues to promote. This year we are also trialling the post-conference tour innovation. We are delighted that it has received the strong support of members.

It is now my pleasure to invite Ben Davies to chair the first session and introduce the Attorney-General for Western Australia, Christian Porter.