

# Packed house, great conference

By Marius Smith



Associate Professor Jane McAdam (left) with Professor Sarah Joseph



John Garnaut



Peter van Onselen

**A sell-out crowd again attended this year's Castan Centre Annual Conference as a top-line list of speakers addressed some of 2010's hottest issues.**

The conference was opened by Glenda McNaught, who gave a stirring tribute to Ron Castan AM QC and his profound effect on human rights law in this country. Glenda, a barristers' clerk who was the conference's major sponsor, had a long professional collaboration with Ron.

The Victorian Equal Opportunity and Human Rights Commissioner, Dr Helen Szoke, was the day's first speaker, and she opened with a spirited defence of the new religious exemptions under the *Equal Opportunity Act*. Dr Szoke acknowledged that the right of religious groups to discriminate was reduced by the revised Act, but stated that freedom of religion was still well-protected. Indeed, Dr Szoke pointed out that religious groups still have more exemptions under the Act than any other group.

Accompanying Dr Szoke in the first session was the Human Rights Law Resource Centre's Director, Phil Lynch, who discussed recent developments in Australian human rights law, including the importance of transparency in the proposed federal parliamentary scrutiny of legislation, and the need to consolidate federal discrimination laws. Mr Lynch also reviewed the encouraging Supreme Court case of Kimberley Castles, which found that a prisoner had the right to continue her IVF treatment while in jail.

Associate Professor Peter van Onselen, a contributing editor to *The Australian* newspaper, opened the second session with a critique of politicians' failure to lead on the issue of asylum-seekers, allegedly because of electoral hostility. Dr van Onselen said that it was unclear whether a compassionate asylum policy would cost votes, because no one had tried it recently.

Dr Adiva Sifris, of Monash University, began her presentation on same-sex marriage by noting that marriage is evolving: legal equality, the prohibition on marital rape and the age of consent have all changed in recent decades. Inevitably, she said, same-sex marriage will be next.

The afternoon began with an enlightening session featuring

Google's head of policy for Asia-Pacific, Iarla Flynn, and *The Age's* China correspondent John Garnaut. Mr Garnaut spoke of China's biggest human rights problems, including the treatment of Tibetans and Uighurs as well as religious groups and those trying to complain against party officials. Mr Garnaut was able to point to some bright spots in China, such as the improvement of labour conditions in recent years.

Mr Flynn addressed the issue of internet freedom, and spoke frankly about the Commonwealth Government's proposed internet filter, which he said would breach freedom of expression and provide encouragement for censorship-happy governments elsewhere. In the question and answer session, Mr Garnaut said that Google's threat to pull out of China in February 2010 had resulted in an easing of the recent crackdown there.

The final session paired the Chair of the UN Committee on the Rights of Persons with Disabilities, Professor Ron McCallum, with the University of New South Wales' Dr Jane McAdam. Professor McCallum welcomed the advent of the disability convention, but he highlighted the difficulty in bringing the Convention's rights to fruition when he spoke about how the UN High Commissioner for Refugees was failing to incorporate those rights into its practices.

Dr McAdam began her speech with a provocative statement – the best way to ensure that there is no action on climate change is to insist on a consensus-based treaty. Dr McAdam then noted that climate change potentially pits rights-holders against each other, for example those displaced by climate change and those living in communities which receive climate refugees, especially in developing countries.

As the day unfolded, many people logged in via Twitter to follow the comments posted by the Castan Centre and by many of those in attendance. The Centre posted audio recordings of each session within hours so that those unable to attend could listen to the outstanding presentations. Of course, nothing beats being there, and for those who came along it was another stimulating conference, and a chance to mingle with members of the human rights community from all over Australia.