

# Castan Conference 2011



Centre Deputy Director Dr. Gerber and Brigadier Lyn McDade.

This year's Castan Centre Annual Conference was a sell-out again as members of the human rights community from all over Australia met to discuss topics ranging from corporate social responsibility to a human rights approach to drugs.

The US Consul General in Melbourne, Michael Thurston, opened the conference with a thought provoking talk about corporate social responsibility and the "right to connect". According to Mr. Thurston, the US government has been working on increasing corporate social responsibility and internet freedom, and sees the two as interconnected. Mr. Thurston's contention that human rights can be better protected by showing companies that the "good thing to do can also be the smart thing to do" was vigorously questioned by audience members. Appropriately for a session about the internet, many people logged onto Twitter to follow the Castan Centre's updates and to tweet their own responses to the conference speakers. The online interaction continued all day and added perspectives from all over the country in real time.

During the short break the audience mingled and helped themselves to tea and coffee before returning to the second session, which focused on Indigenous human rights issues. Professor Megan Davis, director of the Indigenous Law Centre at the University of New South Wales and member of the United Nations Permanent Forum on Indigenous Issues, spoke about the need for the recognition of Aboriginal and Torres Strait Islander people in the Constitution. A tone of caution permeated Professor Davis' address, a legacy of what she called "Aboriginal fatigue". Referring to Kevin Rudd's Apology in 2008, she said that at the time it had an enormous effect on Indigenous communities, with many Aboriginal people saying that they felt proud and connected to the Australian nation for the first time. However, the lack of real progress following the Apology has led to renewed feelings of hurt, sadness and exclusion.

Rex Wild QC, the co-author of the Little Children are Sacred report, followed on from Professor Davis. He spoke about the ongoing legacy of the Northern Territory Intervention, and again his tone was heavy with the pessimism that often accompanies discussion

of Indigenous issues in Australia. Having seen his report used to justify an intervention that ignored its central recommendation – local consultation – Mr Wild has found himself becoming ever more frustrated by the endless reports produced and subsequently ignored by the Federal government.

After a light lunch and plenty of chatting, the audience settled back into



Megan Davis takes a question from the crowd.

the auditorium to hear Professor Tim McCormack speak about the International Criminal Court and Brigadier Lyn McDade speak about military justice. After opening with a joke about John Howard and the "other ICC", Professor McCormack addressed criticisms that the ICC is ineffective and biased. Professor McCormack's response to these criticisms was largely an optimistic one, as he argued that a large proportion of the ICC's current problems will be solved with patience. His conclusion was that establishing a court takes time, and he predicted that three or four cases will be concluded by 2014.

Brigadier McDade brought the discussion closer to home with her discussion of military justice in Australia. Despite being wary of starting with a joke, she did leave the audience incredulously amused at her examples of "soldiers behaving badly". The questions from the audience that followed showed that the audience were particularly interested in the responsibility of a soldier and how it might be different from that of an ordinary citizen.

The day ended with a three part session started off by Professor Samina Yasmeen, Director of the Centre for Muslim States and Societies at the University of Western Australia. She spoke about the phenomenon of Islamophobia and its relationship to multicultural Australia. For Professor Yasmeen, multiculturalism is not new nor is it particular to the Western world – it is simply the process of learning about other cultures and learning to live comfortably together.



Professor Yasmeen talks about Islamophobia.

The final two speakers both addressed health issues and their relationship with human rights law. Dr Alex Wodak AM is the President of the Australian Drug Law Reform Foundation and Director of the Alcohol and Drug Service at St Vincent's Hospital in Sydney. He has been campaigning for over 25 years for drug law reform, and at the conference he urged the audience to consider the human rights implications of draconian drug laws, in particular freedom of association, the right to health care and equality rights. The final speaker of the day was Dr Charlie Corke, Senior Specialist in the Intensive Care Unit at Geelong Hospital. He argued that rather than strive for euthanasia, which is controversial and difficult to implement, we should be trying to avoid dysthanasia – or a bad, lingering death – through reform of the *Medical Treatment Act*. Otherwise, awful deaths will continue every day through the overzealous use of aggressive treatment and life support.

All in all, the conference was once again a resounding success. The attendees left the conference centre full of ideas, ready to continue these stimulating discussions online and in the broader human rights community.

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