

Contributors

Professor Simon Bronitt, *Director, National Europe Centre, Research School of Humanities and Professor, Australian National University College of Law*. Simon Bronitt has been Director of the National Europe Centre at the Australian National University since 2003 and member of the ANU College of Law since 1991. He has wide-ranging research and teaching interests in the fields of comparative law, criminal law and criminal justice, and recent publications include: *Principles of Criminal Law* (2nd ed, Lawbook Co, 2005) with Bernadette McSherry; *Law in Context* (3rd ed, Federation Press, 2006), with Stephen Bottomley. Current research projects include a Commonwealth funded, ARC Discovery Project (DP0451473), ‘Terrorism and the Non-State Actor after September 11: The Role of Law in the Search for Security’.

Ann Curthoys, *Manning Clark Professor of History, Australian National University*. Professor Curthoys’ commitment to Aboriginal rights was developed on the Freedom Ride and has stayed with her ever since. She has written on many aspects of Australian history, including Aboriginal policy, immigration, feminism, journalism, television and the Cold War. For many years she taught at the University of Technology, Sydney, before joining the Australian National University in 1995, where she taught courses on Australian history, historical writing, and world history. Her publications include *Freedom Ride: A Freedomrider Remembers* (Allen & Unwin, 2002) and, with John Docker, *Is History Fiction?* (UNSW Press, 2005). Now an ARC Professorial Fellow at ANU, Ann is currently completing a book with Ann Genovese and Alex Reilly entitled *History, Law, and Indigenous Peoples* (UNSW Press – forthcoming), whilst embarking on a new project on Indigenous peoples, the British Empire, and self-government for the Australian colonies.

Kate Eastman, *Barrister, St James Hall Chambers*. Kate has practised as a barrister in Sydney since 1998 and is a member of St James Hall Chambers. After completing a Master of Laws in International Human Rights Law in London, she returned to work as a solicitor at Allen Allen & Hemsley in the Commercial Litigation and Corporate groups. In 1995, Kate joined the Human Rights and Equal Opportunity Com-

HATE SPEECH AND FREEDOM OF SPEECH

mission as a Senior Legal Officer. She was a co-founder and President of Australian Lawyers for Human Rights (ALHR) for many years. She is the Australian alternate member to the International Human Rights Law and Practice Committee of the International Law Association. In 2003 she was awarded a Justice Award for pro bono work sponsored by the Combined Community Legal Centres.

Dr Carolyn Evans, *Deputy Director of the Centre for Comparative Constitutional Studies and Associate Professor, Faculty of Law, University of Melbourne*. Dr Evans' teaching and research are in the areas of constitutional law, human rights and religious freedom. Dr Evans' publications include *Religious Freedom under the European Court of Human Rights* (OUP, 2001) and (as co-editor) *Religion and International Law* (Kluwer, 1999) and *Mixed Blessings: Laws, Religions and Women's Rights in the Asia-Pacific Region* (Martinus Nijhoff, 2006). She is an internationally recognised expert on religious freedom and the relationship between law and religion and has spoken on these topics in the United States, United Kingdom, Russia, China and Australia. From 2007-2009 she will undertake a joint ARC Discovery Project with Associate Professor Beth Gaze on the topic of religious freedom and non-discrimination. She also researches on the area of domestic protection of human rights, particularly the role of parliament in the protection of human rights and Australian Bills of Rights.

Dr Simon Evans, *Director of the Centre for Comparative Constitutional Studies and Associate Professor, Faculty of Law, University of Melbourne*. Dr Evans researches and teaches in constitutional law and constitutional theory and human rights. His particular fields of research are constitutional and statutory human rights protection (especially in the Commonwealth), the constitutional limits on redistribution and regulation of property, and the mechanisms for ensuring the accountability of the executive government. He has published widely on these topics in Australia and overseas. He has previously worked as an Associate to Sir Anthony Mason at the High Court of Australia and as a solicitor at Mallesons Stephen Jaques in Sydney.

Dr Katharine Gelber, *Senior Lecturer in Politics and International Relations at the University of New South Wales*. Katharine's research interests are in human rights, free speech and hate speech. She has published *Speaking Back: The Free Speech versus Hate Speech Debate* (John Benjamins Ltd, 2002), as well as articles in *Review of International Studies*, the *Australian Journal of Politics and History*, the *Australian Journal of Political Science* and the *Australian Journal of*

CONTRIBUTORS

Human Rights. She is currently engaged as Chief Investigator on an ARC-funded large research project entitled 'Securing Freedom: Political Speech in Australia' (2006-2009). The project will examine freedom of political speech in contemporary Australian public discourse.

Dr Gail Mason, *Associate Professor, Faculty of Law, University of Sydney*. Prior to joining the Faculty of Law in 2003 Gail taught Gender Studies at the University of Sydney and Criminology at Victoria University of Wellington, New Zealand. She has previously worked for the Australian Institute of Criminology in Canberra. Dr Mason's research revolves around the issues of hate crime and discrimination. She is especially interested in the ways in which legal and social discourse constitute our understandings of what it means to 'hate' others. Her recent book, *The Spectacle of Violence: Homophobia, Gender and Knowledge* (Routledge, 2002) brings together Foucauldian and feminist theory to explain the contexts for, and implications of, homophobic violence.

Dr Lawrence McNamara, *Reader, School of Law, University of Reading*. Prior to taking up his appointment in the UK in 2007, Lawrence was a senior lecturer in the Division of Law at Macquarie University where he taught Criminal Law, Torts and a later year elective unit, 'Language, Violence and Justice: The Legal Regulation of Hatred'. His research interests include defamation, racial and religious hatred, and free speech. Among his major publications is *Reputation and Defamation* (Oxford University Press, 2007). He is currently working on a project that examines the ways counter-terrorism laws affect the media.

Professor Luke McNamara, *Dean, Faculty of Law, University of Wollongong*. Professor McNamara's research focuses on human rights and the implications of cultural diversity for legal norms and processes, with an emphasis on socio-legal and comparative approaches. He has undertaken research on the regulation of racial hatred and racial vilification, the significance of native title as a vehicle for advancing Indigenous land justice, and the involvement of Indigenous people in criminal justice decision-making processes. Most recently, he has completed a comparative study of the impact of domestic legal arrangements for the protection of human rights on the resolution of political controversies with respect to double jeopardy reform, the recognition of same-sex relationships and the operation of hate speech laws. He is the author of *Regulating Racism: Racial Vilification Laws in Australia* (Sydney Institute of Criminology, 2002), and *Human Rights Controversies: The Impact of Legal Form* (Routledge-

HATE SPEECH AND FREEDOM OF SPEECH

Cavendish, 2007), and a co-author of *Indigenous Legal Issues* (Lawbook Co, 3rd ed, 2003) and *Criminal Laws* (Federation Press, 4th ed, 2006).

Professor Adrienne Stone, *Professor, Faculty of Law, University of Melbourne*. Adrienne Stone was appointed to a Chair in Law at the University of Melbourne in 2007. She was previously a Fellow in the Law Program at the Research School of Social Sciences at the Australian National University where she was also a Senior Lecturer in the Faculty of Law. She has also taught as a visitor at Tulane Law School and the University of Western Ontario (Canada). Her research interests lie in constitutional law, comparative constitutional law and constitutional theory. She has published extensively on Australian constitutional law, with a special focus on freedom of political communication, comparative constitutional law of freedom of speech and the legal and institutional questions surrounding bills of rights.

Dr Lisa Hill, *Associate Professor, Politics, University of Adelaide*. Before taking up her position at the University of Adelaide, Lisa Hill took a DPhil in Politics at the University of Oxford, and was a five-year Fellow in Political Science at the Research School of Social Sciences. Her research interests are in political theory, electoral law and history of political thought. She is a current joint recipient of an ARC Discovery Grant on political corruption and has recently published a monograph on the social thought of Adam Ferguson. Her articles have appeared in *Review of Politics*, *History of Political Thought*, *Journal of Theoretical Politics*, *Australian Journal of Political Science* and *Federal Law Review*.

Acknowledgments

Some of the chapters in this volume were initially presented in different form as papers at a workshop entitled 'Free Speech, Hate Speech and Human Rights in Australia' held at the Australian National University, 8-9 September 2006. The workshop was generously supported by the Academy of Social Sciences Australia; the Law Program, Research School of Social Sciences, ANU; the Centre for International and Public Law, ANU College of Law; the Freilich Foundation; the National Europe Centre, ANU and the ANU Culture of Human Rights Network. We are grateful to these organisations for their generous support, which enabled the ideas here to be discussed and refined for publication in this book. We additionally wish to thank Professor Hilary Charlesworth, Fellow of the Academy of Social Sciences Australia for opening the workshop and Katherine Cooke and Sam Lukaitis for their editorial assistance.

Katharine Gelber
Adrienne Stone
September 2007