W IAN C Binnie QC

Hoofspreker by die Nasionale Baliekonferensie

Die hoofspreker oor *Grondwetlike Interpretasie en die Kuns van Advokaatsverskyning in die Konstitusionele Hof* was die Kanadese advokaat, William Ian Corneil Binnie QC. Hy is 'n vennoot in die firma McCarthy Tétrault in Toronto en word as een van dié land se voorste kenners op die gebied van grondwetlike sake beskou.

Ian Binnie is in Engeland as advokaat toegelaat en het in 1966 'n lid van die Middle Temple Inns of Court geword. Hy is in 1967 in Ontario as advokaat toegelaat en in 1979 het hy Queen's Counsel (Senior Advokaat) geword. Hy is ook in 1984 as advokaat in die Internasionale Geregshof in Den Haag toegelaat.

Ian Binnie is 'n voormalige Kanadese Adjunkminister van Justisie (1982-1986) en was as sodanig verantwoordelik vir alle litigasie (uitgesonderd belasting) namens en teen die Kanadese regering. Hy was ook Grondwetlike raadgewer vir die Kanadese regering en 'n lid van Kanada se regspan by die Internasionale Geregshof in die Golf van Maine-grensgeskil met die Verenigde State.

Sedert 1986 is hy betrokke by litigasie op alle vlakke van die hof asook in administratiewe tribunale, terwyl hy verskeie belangrike grondwetlike sake in die Kanadese Hooggeregshof bepleit het. Hy was by 'n wye verskeidenheid grondwetlike sake betrokke, insluitende etlike rigtinggewende sake soos die vryheid van uitdrukking en die invloed van sodanige waarborg op die reg tot 'n regverdige verhoor en die nasionale veiligheid. Ian Binnie het die Kanadese regering in een van die interessantste grondwetlike sake tot dusver verteenwoordig, naamlik dié waarin 'n kabinetsbesluit om die Verenigde State toe te laat om die Cruise-missiel binne Kanadese grondgebied te toets, betwis is.

Aangesien die Suid-Afrikaanse Grondwet besieling geput het uit die Kanadese Charter of Rights, sal Ian Binnie se ondervinding ten opsigte van grondwetlike litigasie onbetwisbare voordele vir Suid-Afrikaanse praktisyns inhou. ❑

The keynote speaker on *Constitutional Interpretation and The Art of Constitutional Advocacy* is Canadian barrister William Ian Corneil Binnie QC. He is a partner of the law firm McCarthy Tétrault in Toronto and is regarded as one of the country's leading constitutional experts. Ian Binnie was called to the English Bar and became a member of the Middle Temple Inns of Court in 1966. In 1967 he was called to the Ontario Bar and became Queen's Counsel in 1979. He was admitted to practice before the International Court of Justice at the Hague in 1984.

He is a former Associate Deputy Minister of Justice for Canada (1982-1986) and as such was responsible for all litigation (except tax cases) for and against the Canadian Government. He was also constitutional adviser to the Government of Canada and a member of Canada's legal team at the International Court of Justice in the Gulf of Maine boundary dispute with the United States.

Since 1986 he has been involved in general litigation practice before all levels of court and administrative tribunals and has argued several of the leading constitutional cases before the Supreme Court of Canada. The constitutional cases in which he has been involved cover a wide diversity of issues including some of the seminal cases on freedom of expression and the impact of that guarantee on rights to a fair trial and national security. He represented the Canadian Government in one of the most fascinating constitutional cases involving a challenge to a Cabinet decision to allow the testing of the Cruise Missile by the United States in Canadian territory.

Since the South African Constitution has drawn inspiration from the Canadian Charter of Rights, Ian Binnie's experience in constitutional litigation will be of undoubted benefit to South African practitioners. ❑