

# AIJA MAGISTRATES' CONFERENCE

**Melbourne, 20-21 July 2001**

*The Chifley on Flemington*

*5-17 Flemington Road, North Melbourne*

**To access Conference papers: Please click on link to speaker's name**

## FRIDAY 20 JULY

- 8.15 am            **Registration**
- 8.55 am            **Welcome:** The Hon Justice Murray Kellam, President, VCAT, President of the AIJA.
- 9.00 am            **Opening:** The Hon Robert Hulls MLA, Attorney-General for Victoria.
- 9.10 am            **SESSION ONE - KEYNOTE ADDRESS**  
Convener: The Hon Justice Murray Kellam.  
**Problem-Oriented Courts: Innovative Solutions to Intractable Problems**  
Professor Arie [Freiberg](#), Department of Criminology, the University of Melbourne.  
Professor Freiberg will trace the development of problem-solving courts in the United States and their introduction in Australia, examine their philosophy and structures and explore some of the jurisprudential, ethical and practical issues arising from their operation.  
**Commentary:** Ms Diane [Fingleton](#), Chief Magistrate of Queensland.
- 10.15 am            *Morning Tea*
- 10.45 am            **SESSION TWO**  
Convener: Mr Ian Gray, Chief Stipendiary Magistrate of Victoria.  
**Parallel Services**  
This session will be concerned with the practical application of many of the matters addressed in Professor Freiberg's paper. The presentation will be given by members of the Victorian Magistrates' Court.
- 12 noon            **SESSION THREE**  
Convener: Professor Greg Reinhardt, Executive Director, AIJA.  
**Litigants in Person**  
*Her Honour Judge Jennifer Coate, President, Melbourne Children's Court.*  
In this session a short presentation will be given in relation to the Litigants in Person Plan developed by the AIJA Courts and the Public

Committee. It is proposed that there be workshops to examine the implementation of the matters raised in the Plan and a final plenary session in which the working groups will report.

1.15 pm

*Lunch*

2.15 pm

#### **SESSION FOUR**

Convener: Mr Peter Dixon, Magistrate, Tasmania, Senior Vice-President, Association of Australian Magistrates.

##### **Family Law: The Hot Issues**

The Hon Justice Linda Dessau, Family Court of Australia.

This session will be concerned with matters of family law of particular interest to members of the magistracy.

3.15 pm

*Afternoon Tea*

3.45 pm

#### **SESSION FIVE**

Convener: Professor Greg Reinhardt.

##### **A commentary on the new fault provisions of the Commonwealth Criminal Code**

Mr Ian [Leader-Elliott](#), Senior Lecturer in Law, Adelaide University.

The new fault provisions of the Commonwealth Criminal Code are of particular interest to the magistracy. Mr Leader-Elliott, an acknowledged expert in the area of criminal law, will address the issues involved.

4.30 pm

#### **SESSION SIX**

Convener: Ms Anne Wallace, Deputy Executive Director, AIJA.

##### **The Changing Role of the Magistrates' Court**

Associate Professor Kathy Mack, and Associate Professor Sharyn Roach Anleu, Flinders University of South Australia.

The speakers are involved in a project partly funded by the AIJA and by the Association of Australian Magistrates which is concerned with contemporary issues affecting magistrates and the changing role of the Magistrates' Court. The speakers will address the issues involved and the scope of their research.

5.30 pm

#### **SESSION SEVEN**

Convener: Mr Ron Cahill, Chief Magistrate, ACT.

##### **Leading Changes in Singapore's Magistracy: the Seven Working Precepts**

Mr Eric Tin and Ms Abigail Ng, Magistrates, [Subordinate Courts](#), [PPT](#), Singapore.

6.00 pm

*Close*

7.30 for  
8.00 pm

#### **CONFERENCE DINNER**

*Kelvin Club, Melbourne Place (off Russell Street, between Bourke and Little Collins Streets) Melbourne. Dress: Business attire.*

## SATURDAY 21 JULY

- 9.00 am           **SESSION EIGHT**  
Convener: Ms Anne Wallace.  
**Magistrates and Expert Evidence**  
Dr Ian Freckelton, Barrister, Adjunct Professor of Law and Legal Studies, La Trobe University, Professor of Psychological Medicine, Monash University; Dr Prasuna Reddy, Lecturer in Psychology, The University of Melbourne.  
As the result of a survey of the magistracy, Dr Freckelton, Dr Reddy and Mr Hugh Selby are to publish a monograph for the AIJA on Magistrates and Expert Evidence. This will be a companion volume to the earlier report on Australian Judicial Perspectives on Expert Evidence. They will report upon their research.
- 10.00 am           *Morning Tea*
- 10.30 am           **SESSION NINE**  
Convener: Ms Annette Hennessy, Magistrate, Queensland.  
**Victim Involvement in Criminal Matters**  
Mrs Bernice [Rasmussen](#), Protect All Children Today Inc (PACT), Queensland.  
Mrs Rasmussen has spoken widely on the question of victim involvement in criminal matters. It is proposed that the session will also include a brief presentation by a victim of crime.
- 11.30 am           **SESSION TEN**  
Convener: Mr Ron Cahill, Chief Magistrate, ACT.  
**The Introduction of Criminal Adversarial Procedure in Countries with a Civil Law Tradition. The Peculiar Case of Italy in a Comparative Perspective.**  
Professor Marco Fabri, University of Bologna, Research Institute on Judicial Systems of the National Research Council, Italy.  
Professor Fabri is an acknowledged expert in judicial administration having studied and conducted research both in the United States and in Europe.
- 12.30 pm           Close