

PLEASE NOTE: To access Conference papers, please click highlighted speaker's name in the conference programme

NON-ADVERSARIAL JUSTICE: IMPLICATIONS FOR THE LEGAL SYSTEM AND SOCIETY CONFERENCE

4-7 May 2010

Hilton on the Park, East Melbourne, Victoria, Australia

Conference Program* - Tuesday 4 May 2010

2:00–5:00pm	Registration Desk Open
3:00-5.30pm	Melbourne Magistrates' Court 'Open House' Event (optional)
5.30-7.00pm	Welcome Reception Hosted by Chief Magistrate Ian Gray, Magistrates' Court of Victoria

Wednesday 5 May 2010

Location: Ballroom 3 – Plenary sessions

7.30–9.00am	Registration
9.10-10.30	<p>WELCOME: <i>Professor Arie Freiberg AM</i>, Dean Faculty of Law, Monash University</p> <p>OPENING: <i>The Hon Rob Hulls MP</i>, Attorney General, Victoria</p> <p>PLENARY: <i>Professor John Braithwaite</i>, Regulatory Institutions Network, RSPAS, ANU College of Asia and the Pacific, Australian National University</p> <p>Non-Adversarial Justice, the Prevention of War and the Prevention of Global Financial Crises</p>
10.30-11.00	Morning Tea
	SESSIONS:
11.00-12.30	Session 2
	<p>INTRODUCTION: <i>Chief Justice Marilyn Warren AC</i>, Supreme Court of Victoria</p> <p>Therapeutic jurisprudence: from theory to practice and back again</p> <p>Speaker: <i>Professor David Wexler</i>, University of Puerto Rico</p> <p>Convenor: <i>Professor Greg Reinhardt</i>, Executive Director, Australasian Institute of Judicial Administration</p>
12.30-1.30	Lunch

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1.30-3.00	<p>Session 3A NON-ADVERSARIAL JUSTICE AND SEX OFFENCES</p> <p>Location: Ballroom 3</p> <p>Effective justice for victims of sexual assault: establishing alternative pathways Speakers: Dr Bronwyn Naylor, Law Faculty, Monash University Anthony Hopkins, Lecturer, Faculty of Law, University of Canberra and Russell Boyd Drawing the line between Acceptable and Unacceptable Cross-examination of Child Sexual Assault Complainants: concerns about the application of s 41 Evidence Act 1995 (NSW & Cth) Chair: Dr Andrew Cannon AM, Adelaide Magistrates Court</p>	<p>Session 3B PROBLEM-SOLVING COURTS</p> <p>Location: Ballroom 1</p> <p>Speakers: Chief Magistrate Ian Gray, Magistrates' Court of Victoria Non-Adversarial Justice in a Modern Multi-Jurisdictional Court Professor James Nolan, Williams College, Massachusetts The International Problem-Solving Court Movement: A Comparative Perspective Chair: Mr Steven Heath, Chief Magistrate, Western Australia</p>	<p>Session 3C APPROPRIATE DISPUTE RESOLUTION, NON-ADVERSARIAL JUSTICE AND MEDIATION</p> <p>Location: Ballroom 2</p> <p>Speakers: Neil Twist, Director, Appropriate Dispute Resolution Directorate, Victoria Overview of Appropriate Dispute Resolution (ADR) reforms in Victoria Professor Andrew Pirie, University of Victoria, Canada Magical Thinking. What If Mediators Remade The Courts? Associate Professor Mary Anne Noone, PPT, School of Law, La Trobe University Non Adversarial Justice and Public Interest Law Chair: Professor Thomas Barton, California Western School of Law</p>	<p>Session 3D THERAPEUTIC JURISPRUDENCE AND HEALTH</p> <p>Location: Hotham/Hopetoun</p> <p>Speakers: Genevieve Grant, Teaching Fellow and PhD Candidate, Melbourne Law School, University of Melbourne Empirical evidence of the health impact of personal injury compensation processes: A critical analysis Stephen Monterosso, PPT, School of Business Law and Taxation, Curtin University of Technology Legislating to Prevent Further Harm to the Harmed Chair: Her Hon Snr Judge Mary Ann Yeats, District Court of Western Australia</p>	<p>Session 3E NON-ADVERSARIAL JUSTICE AND CHILDREN</p> <p>Location: Delacombe</p> <p>Speakers: Paul Mason, Commissioner for Children, Tasmania Willing But Unable – Less Adversarial Trial (LAT) Lessons from Formal Disability Care Proceedings Professor Shelley Kierstead, Osgoode Hall Law School of York University, Toronto, Canada Assisting Alienated Children of Separated Parents: Is 'Therapeutic Intervention' Potentially Anti-Therapeutic Pernilla Leviner, Doctoral Candidate In Social Law Stockholm University Proactive and Therapeutic Ambitions in Swedish Child Protection Chair: Magistrate David K Fanning, Victorian Neighbourhood Justice Centre</p>	<p>Session 3F RESTORATIVE JUSTICE</p> <p>Location: Stradbroke</p> <p>Speaker: Helen Bowen, PPT, Lawyer, New Zealand Youth Justice in New Zealand Chair: Magistrate Greg Connellan, Magistrates' Court of Victoria</p>
3.00-3.30	Afternoon Tea					

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3.30-5.00	<p>Session 4A DRUG COURTS</p> <p>Location: Ballroom 3</p> <p>Speakers: Magistrate Hilary Hannam, Youth Drug and Alcohol Court, Children's Court of New South Wales The New South Wales Youth Drug and Alcohol Court Shelley Turner, PPT, Area Manager, Joint Assessment and Review Team (JART), New South Wales Juvenile Justice, DHS The New South Wales Youth Drug and Alcohol Court Program: Inter-agency Partnerships in Action Magistrate Margaret Harding, Victorian Drug Court The Victorian Drug Court Chair: Professor Susan Daicoff, Florida Coastal School of Law, USA</p>	<p>Session 4B NON-ADVERSARIAL JUSTICE</p> <p>Location: Ballroom 1</p> <p>Speakers: Professor Bob Schopp, Robert J Kutak Professor of Law, Professor of Psychology and Professor of Philosophy, University of Nebraska Pursuing Non- Adversarial Justice within an Adversarial Structure Professor Arie Freiberg AM, Dean, Faculty of Law, Monash University Post-Adversarial and Post-Inquisitorial Justice: Transcending Traditional Paradigms Chair: His Hon Judge Ian Dearden, District Court of Queensland</p>	<p>Session 4C APPROPRIATE DISPUTE RESOLUTION</p> <p>Location: Ballroom 2</p> <p>Speakers: Professor Tania Sourdin PPT, NADRAC member The Resolve to Resolve Report Her Honour Judge Fleur Kingham, District Court and Deputy President of Queensland Civil and Administrative Tribunal (QCAT) The Queensland Civil and Administrative Tribunal Magistrate Francis Zemljak, Children's Court of Victoria, Ros Porter, Managing Lawyer, Youth Legal Service, Victoria Legal Aid and Mary Kyrios, Principal Policy Analyst, Children Protection Policy & Practice Unit, DHS Appropriate Dispute Resolution in the Children's Court jurisdiction Facilitator: Walter Ibbs, PPT, Roundtable Dispute Management, Victoria Legal Aid and Mr Brian Leaver, PPT Acting Managing Lawyer, Family Law Melbourne, Victoria Legal Aid Chair: Dr Don Fleming, ANZSOG Institute for Governance, Australian Capital Territory</p>	<p>Session 4D NON-ADVERSARIAL JUSTICE</p> <p>Location: Delacombe</p> <p>Speakers: Her Honour Judge Jennifer Coate, State Coroner, Victoria Non-Adversarial Justice and Coroner's Courts Ian Freckelton SC, Barrister, Melbourne Challenges in Opportunities for Non-adversarial Contribution by Coroners' Courts Melodee Smith, Attorney and PhD candidate, Nova Southeastern University, Miami Appealing Justice: Faces of Stakeholders and Phases of Conflict in a Capital Case Study Chair: Mr Steven Wilson, RAMSI Law and Justice Program, Solomon Islands</p>	<p>Session 4E NEIGHBOURHOOD JUSTICE</p> <p>Location: Hotham/Hopetoun</p> <p>Speakers: His Honour Judge David Fletcher CBE, Community Justice Centre, North Liverpool, England Liverpool Community Justice Centre Alex De Savornin Lohman, PPT, Legal Attorney, Utrecht, Netherlands Justice in a Sustainable Society: Sustainability as an Agent for Mainstreaming Non-Adversarial Justice and Therapeutic Jurisprudence Chair: Judge Eugene M Hyman, Superior Court of California</p>	<p>Session 4F ALTERNATIVE DISPUTE RESOLUTION</p> <p>Location: Stradbroke</p> <p>Speakers: Kim Weinert, PPT, In-house lawyer, WorkCover, Queensland How Alternative Dispute Resolution has by-passed Incorporated Associations in Queensland Dr Kinga Flaga-Gieruszyńska, Department of Civil Proceedings, University of Szczecin Polish model of mediation in civil proceedings - selected issues Deputy Chief Magistrate Peter Lauritsen, PPT, Magistrates' Court of Victoria and Nerida Wallace, PPT, Transformation Management Services Forcing them to the table – Compulsory court-annexed mediation in the civil jurisdiction of the Magistrates' Court of Victoria Chair: Ms Jelena Popovic, Magistrates' Court of Victoria</p>
7.00-10.30	<p>CONFERENCE DINNER – Coral Atoll at Melbourne Aquarium, Cnr King and Flinders Streets, Melbourne</p> <p>Dinner Speaker: The Hon Justice Chris Maxwell, President, Court of Appeal, Victoria</p> <p>Dress Code: Business Attire</p>					

Thursday 6 May 2010

8:00 –9.00am	Registration				
9.00am -10.30	Session 5 Location: Ballroom 3 <i>Professor Carrie Menkel-Meadow, Georgetown University Law Center, Washington DC</i> How Non-adversarial Can Justice Be? Must There be Winners and Losers in Justice? <i>Professor Susan Daicoff PPT, Florida Coastal School of Law</i> The Future of the Legal Profession: The Comprehensive Law Movement Chair: <i>Dr Michael King, Senior Lecturer, Faculty of Law, Monash University</i>				
10.30-11.00	Morning Tea				
SESSIONS:					
11.00 - 12.30	Session 6A PROBLEM-SOLVING COURTS Location: Ballroom 3 Speakers: <i>The Hon Peggy Hora, Former Judge, California Superior Court</i> Problem-solving courts <i>His Honour Senior Judge Roger Dive, Drug Court of New South Wales</i> Judging in the Land of the Chaotic <i>Dr Astrid Birgden PPT Fellow, Deakin University</i> Individualized justice in problem solving courts: Is there a balance between community and defendant rights? Chair: <i>Judge David Fletcher, North Liverpool Community Justice Centre</i>	Session 6B APPROPRIATE DISPUTE RESOLUTION IN ASIA Location: Ballroom 1 Speakers: <i>Sanjib Goswami, Advocate, Supreme Court of India</i> Legal Pluralism and the Administration of Justice In North East India <i>Dr Nor 'Adha Hamid, PPT, Selangor International Islamic University College</i> The Appropriate Dispute Resolution (ADR): Malaysian Development and Its State-of-Innovative-Art Chair: <i>Judge John Walker, District Court of New Zealand</i>	Session 6C APPROPRIATE DISPUTE RESOLUTION AND MEDIATION Location: Ballroom 2 Speakers: <i>Kathy Douglas PPT, Senior Lecturer, Graduate School of Business and Law, RMIT University and</i> <i>Dr Becky Bataqol PPT, Lecturer Faculty of Law, Monash University</i> ADR and Non-Adversarial Justice as sites for understanding emotion in dispute resolution: Reporting on research into teaching practices in selected Australian law schools <i>Dr Olivia Rundle, Lecturer in Law, University of Tasmania</i> Court-connected mediation programmes: implications for courts and the legal profession Chair: <i>Professor Greg Reinhardt, Australasian Institute of Judicial Administration</i>	Session 6D RESTORATIVE JUSTICE IN VICTORIA PANEL Location: Hotham/Hopetoun Panelists: <i>Jonathan Chambers, Anglican Criminal Justice Ministry, Bronwyn Egan, Catholic Education Office, Alikki Vernon, La Trobe University, Marg Armstrong, Education and Restorative Justice Consultant and David Moore, Communications Consultant</i> Restorative Justice Practice in Victoria: Potential and Issues Chair: <i>Peter Condliffe PPT, Barrister and Restorative Justice Practitioner President, Victorian Association of Restorative Justice,</i>	Session 6E RESPONDING TO CLAIMS Location: Delacombe Speakers: <i>Dr Lodewijk Smeehuijzen, Researcher, Faculty of Law, VU University, Amsterdam</i> Reforming personal injury claims settlement: making the insurer respect the non-pecuniary needs of claimants <i>Robyn Carroll PPT, University of Western Australia</i> It's not just about the money! – Towards greater recognition of party needs in the law of private remedies <i>Professor Reg Graycar PPT, University of Sydney and Dr Jane Wangmann PPT, University of Technology, Sydney</i> A feminist adjudication process: is there such a thing? Lessons from a Canadian redress program Chair: <i>Chief Magistrate Ian Gray, Magistrates' Court of Victoria</i>
12.30-1.30	Lunch				

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<p>1.30-3.00</p>	<p>Session 7A NEIGHBOURHOOD JUSTICE</p> <p>Location: Ballroom 3</p> <p>Speakers: <i>Julius Lang</i>, Director Technical Assistance, Center for Court Innovation, New York A Victorian engine for court innovation <i>Magistrate David K Fanning PPT</i>, Victorian Neighbourhood Justice Centre Achievements and reflections from the magistrate at Australia's first Neighbourhood Justice Centre <i>Fran Whitty</i>, Victorian Neighbourhood Justice Centre, <i>Dr Stuart Ross</i>, Melbourne University, <i>James Fraser</i> and <i>Krystal Cutajar</i>, Neighbourhood Justice Centre Koori Justice Workers (Melbourne) What is the role of the "community" in a community justice centre, and does it work Chair: <i>Magistrate Sue Wakeling</i>, Magistrates' Court of Victoria</p>	<p>Session 7B VIOLENT INTIMATE RELATIONSHIPS, DISABILITY AND ADVERSARIALISM</p> <p>Location: Ballroom 1</p> <p>Speakers: <i>Professor Leonore Simon</i>, Department of Criminal Justice and Criminology, East Tennessee State University Non-Adversarial Justice and Therapeutic Jurisprudence: The Failure of Adversarial Procedures such as Arresting Batterers and the Issuing Civil Protection Orders and Other Domestic Violence Reforms in the United States in Changing Violent Intimate Relationships <i>Marg Camilleri PPT</i>, Doctoral Student, University of Ballarat The nexus between generalized assumptions about disability, the adversarial system and disabled justice Chair: <i>Ms Margaret Lothian</i>, Victorian Civil & Administrative Tribunal</p>	<p>Session 7C JUDGING PANEL</p> <p>Location: Hotham/Hopetoun</p> <p>Panelists: <i>Magistrates Pauline Spencer</i> and <i>Greg Connellan</i>, Dandenong Magistrates' Court Mainstreaming Solution-Focused Judging This session involves a facilitated discussion where the facilitators and members of the audience explore the opportunities, challenges and resources needed to mainstream solution-focused judging Chair: <i>Mrs Nicky McWilliam</i>, University of Technology, Sydney</p>	<p>Session 7D JUDGES AND JUDGING</p> <p>Location: Ballroom 2</p> <p>Speakers: <i>Professor Sharyn Roach Anleu PPT</i>, Department of Sociology and <i>Professor Kathy Mack PPT</i>, Law School, Flinders University Judicial Skills and Therapeutic Jurisprudence <i>Assistant Professor Sarah Murray</i>, Law School, University of Western Australia Managerial Judging and the Commonwealth Constitution – Reflections on the Family Court Experience Chair: <i>Professor Tania Sourdin</i>, University of Queensland</p>	<p>Session 7E MENTAL HEALTH</p> <p>Location: Delacombe</p> <p>Speakers: <i>Alliki Vernon PPT</i>, Lecturer, La Trobe University Dealing with conflict in mental health tribunals: the use of restorative practices <i>Dr Penny Weller</i>, Postdoctoral Research Fellow, Faculty of Law, Monash University Non-adversarial justice and mental health review tribunals: a reflexive turn <i>Dr Effie Zafirakis, PPT</i>, Lecturer, RMIT University, Melbourne Curbing the "Revolving Door" Phenomenon with Mentally Impaired Offenders: Applying a Therapeutic Jurisprudence Lens Chair: <i>Ms Anita Smith</i>, Guardianship & Administration Board, Tasmania</p>
<p>3.00-3.30</p>	<p>Afternoon Tea</p>				

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<p>3.30-5.00</p>	<p>Session 8A THE GREAT DEBATE THE ROLE OF THE 21ST CENTURY JUDGE - SHOULD JUDGES CONDUCT SETTLEMENT CONFERENCES?</p> <p>Location: Ballroom 3</p> <p>Moderator/Mediator: <i>Professor Andrew Pirie</i>, Faculty of Law, University of Victoria, Canada</p> <p>Speakers: <i>The Hon Judge Hugh F Landerkin</i> QC, the Provincial Court of Alberta and <i>Adjunct Professor</i>, Royal Roads University, Canada and <i>Professor Tania Sourdin</i>, University of Queensland</p> <p>Chair: <i>Magistrate Hilary Hannam</i>, Children's Court of New South Wales</p>	<p>Session 8B THERAPEUTIC JURISPRUDENCE</p> <p>Location: Ballroom 1</p> <p>Speakers: <i>Nigel Stobbs PPT</i>, Lecturer, Queensland University of Technology</p> <p>Is therapy a valid role of a mainstream civil judge?</p> <p><i>Dr Lisa Toohey</i>, Visiting Fellow, University of New South Wales Lecturer, University of Queensland and <i>Mr Daniel Toohey</i>, Office of the Commissioner for Body Corporate and Community Management, Queensland</p> <p>Therapeutic Approaches to Community Title Disputes in Queensland</p> <p><i>Luis Osuna, PPT</i>, PhD Candidate, Deakin University</p> <p>The ill side of taxation enforcement: Integrating a Therapeutic Jurisprudence approach in taxation</p> <p>Chair: <i>Professor David Wexler</i>, University of Arizona</p>	<p>Session 8C ALCOHOL AND DRUG COURTS</p> <p>Location: Ballroom 2</p> <p>Speakers: <i>Bernadette McKenna</i>, Northern Territory Alcohol Court</p> <p>Therapeutic Jurisprudence and the Northern Territory Alcohol Court - an Analytical Framework of a New Justice System Response to Indigenous Offender Behaviour</p> <p><i>Dr Stephanie Taplin PPT</i>, Research Fellow, National Drug & Alcohol Research Centre University of New South Wales</p> <p>Family Treatment Drug Courts: an option for the child protection system in Australia</p> <p><i>Sue King</i>, Manager Specialist Sentencing Courts, Magistrates' Court of South Australia and <i>Lesley Work</i>, Coordinator Courts Drug Intervention Programs, South Australia</p> <p>Understanding substance using offenders and the implications for treatment and management in a court setting</p> <p>Chair: <i>Magistrate Anne Goldsbrough</i>, Magistrates' Court of Victoria</p>	<p>Session 8D INDIGENOUS COURTS</p> <p>Location: Hotham/Hopetoun</p> <p>Speakers: <i>Dr Titus Kehinde Adekunle, PPT</i> Research Fellow, University of Ibadan, Nigeria</p> <p>Nigerian Indigenous Courts and their Dispute Resolving Mechanisms in Global Perspective</p> <p><i>James Teh PPT</i>, Coordinator of Yuendumu Mediation and Justice Group (2006-2009), Darwin</p> <p>Mediation and Community Courts in Yuendumu</p> <p><i>Grant Thomas</i>, Conference Coordinator and <i>Terrence Wilson</i>, Aboriginal Justice Coordinator, Courts Administration Authority of South Australia</p> <p>A Collaborative Approach to Justice: Indigenous Court meets Restorative Justice in Port Lincoln South Australia</p> <p>Chair: <i>Judge Peggy Hora</i>, USA</p>	<p>Session 8E NEIGHBOURHOOD JUSTICE PANEL</p> <p>Location: Delacombe</p> <p>Panelists: <i>NJC PPT</i></p> <p><i>Dr Cameron Wallace</i>, Manager Client Services, Neighbourhood Justice Centre and <i>Kaz Gurney</i>, Community Lawyer</p> <p>It's difficult to be invisible at the Neighbourhood Justice Centre</p> <p><i>Anita DeBlasio</i>, Mediation Coordinator, Neighbourhood Justice Centre and <i>Mark Cerne</i>, Mediator, Neighbourhood Justice Centre</p> <p>Can mediation practices be utilised to achieve collective benefits for the community?</p> <p><i>Jay Jordens PPT</i>, Neighbourhood Justice Officer, Neighbourhood Justice Centre</p> <p>Practical problem solving: putting theory into practice</p> <p><i>Magistrate David K Fanning</i>, Victorian Neighbourhood Justice Centre</p> <p>Chair: <i>Magistrate Margaret Harding</i>, Drug Court of Victoria</p>
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Friday 7 May 2010

8:00 –9.00am	Registration				
	SESSIONS:				
9.00am -10.30	<p>Session 9A RESTORATIVE JUSTICE</p> <p>Location: Hotham/Hopetoun</p> <p>Speakers: Magistrate Hilary Hannam, Children's Court of New South Wales Aboriginal Circle Care Courts Dr Allan Borowski PPT, Professor of Social Work and Social Policy, La Trobe University An Evaluation of the Children's Koori Court of Victoria Chair: Chief Justice Michael Hill, Magistrates' Court of Tasmania</p>	<p>Session 9B NON-ADVERSARIAL JUSTICE AND EDUCATION</p> <p>Location: Ballroom 3</p> <p>Speakers: Associate Professor Molly O'Brien, PPT, Australian National University College of Law Facing Down the Gladiators: Addressing the Law School's Hidden Adversarial Curriculum Professor Marjorie Silver, Touro Law Center, New York Implications for Legal Education: Curriculum Reform Ross Hyams PPT, Senior Lecturer, Faculty of Law, Monash University Clinical legal education and non adversarial Justice Chair: Judge Jan Kelly, District Court of New Zealand</p>	<p>Session 9C FAMILY LAW</p> <p>Location: Ballroom 1</p> <p>Speakers: Deputy Chief Justice John Faulks, Family Court of Australia A Natural Selection? The potential and possibility for the development of Less Adversarial Trials by reference to the experience of the Family Court of Australia Walter <i>Ibbs Et Al</i>, Roundtable Dispute Management, Victoria Legal Aid Family Law Dr Susan Armstrong PPT School of Law, University of Western Sydney Accommodating culture in family dispute resolution: why and how? Chair: Mr Neil Twist, Department of Justice, Victoria</p>	<p>Session 9D THERAPEUTIC JURISPRUDENCE / RESTORATIVE JUSTICE AND PERSONAL INJURY</p> <p>Location: Ballroom 2</p> <p>Speakers: Professor Arno Akkermans PPT, Faculty of Law, VU University, Amsterdam Reforming personal injury claims settlement: paying more attention to emotional dimension promotes victim recovery Liesbeth <i>Hulst</i>, Researcher, Faculty of Law, VU University, Amsterdam Restorative justice for relatives of personal injury victims - Empirical support that financial compensation for emotional loss leads to perceived justice and acknowledgement Nieke Elbers PPT, Researcher, Faculty of Law, Psychology and Education, VU University, Amsterdam Empowerment of personal injury victims Chair: Ms Astrid Birgden, Deakin University, Victoria</p>	<p>Session 9E PANEL DEVELOPING THERAPEUTIC JUDGING</p> <p>Location: Delacombe</p> <p>Speakers: Judge Ian Dearden, District Court of Queensland Therapeutic Jurisprudence in the District Court Judge John Walker, District Court, New Zealand Bringing Community Justice Principles into Courts Magistrate Maxine Baldwin Queensland Using Early Intervention Processes in the Court System Chair: Judge Fleur Kingham, District Court of Queensland</p>
10.30-11.00	Morning Tea				

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<p>11.00 - 12.30</p>	<p>Session 10A EVIDENCE, FACTS AND TRUTH Location: Ballroom 3 Speakers: <i>The Hon Justice Ray Finkelstein</i>, Federal Court of Australia The Adversarial System and the Search for Truth <i>Margaret Lothian, PPT</i>, Principal Mediator, Victorian Civil and Administrative Tribunal Concurrent evidence in building disputes as a type of problem solving hearing Commentator: <i>The Hon Justice John Fogarty</i>, High Court, New Zealand Chair: <i>Deputy Chief Magistrate Peter Lauritsen</i>, Magistrates' Court of Victoria</p>	<p>Session 10B EMOTIONS Location: Ballroom 1 Speakers: <i>Professor Janet Chan, Jane Bolitho, Jasmine Bruce</i>, University of New South Wales and <i>Jenny Barga</i> CHD Partners Regulating emotions to address the impact of serious crime: Restorative justice at the post-sentencing stage <i>Dr Meredith Rossner PPT</i> and <i>Professor David Tait</i>, University of Western Sydney Contested Emotions: rethinking the concept of adversarial justice <i>Professor Robert Rosen</i>, School of Law, University of Miami Prerequisites for Forgiveness: Jewish Perspectives on Reconciliation Chair: <i>Mr Stephen Lodge</i>, Department of Justice, Victoria</p>	<p>Session 10C VICTIMS Location: Ballroom 2 Speakers: <i>Michael O'Connell PPT</i>, Commissioner for Victims' Rights, South Australia Treatment of victims in the court process <i>Vanya King, PPT</i>, Consultant, CHD Partners The Victims' Voice: Prospects for Participation in a Non-Adversarial Justice Model <i>Dr. Kiliaan van Wees PPT</i>, Researcher, Faculty of Law, VU University, Amsterdam Apology as an enforceable remedy in private law Chair: <i>Magistrate John Lesser</i>, Magistrates' Court of Victoria</p>	<p>Session 10D THE LEGAL PROFESSION Location: Delacombe Speakers: <i>Judy Gutman</i>, Senior Lecturer, La Trobe Law, La Trobe University Non-Adversarial Justice: implications for the legal profession <i>Jill Howieson</i>, Associate Dean (Students), University of Western Australia Law School Non-adversarial lawyering: what is it and do clients like it? <i>Associate Professor Adrian Evans</i> and <i>Dr Michael King</i>, Senior Lecturer, Faculty of Law, Monash University Reflections on the Ethical Implications of Therapeutic Jurisprudence for Legal Practice Chair: <i>Ms Carmel Morfuni</i>, Suitability Panel, Victoria</p>	<p>Session 10E PANEL Location: Hotham/Hopetoun Panelists: <i>Magistrate Jelena Popovic</i>, Magistrates' Court of Victoria A Little Less Intuition, A Little More Knowledge <i>Magistrate Christine Roney</i> The Queensland Special Circumstances Court <i>Jo Beckett, Magistrate Jelena Popovic, Peter Lamb</i> and <i>Joseph Shields</i>, Magistrates' Court of Victoria Court Integrated Services Program (Victoria) PPT Chair: <i>Dr Bronwyn Naylor</i>, Monash University, Victoria</p>
<p>12.30-1.30</p>	<p>Lunch</p>				
<p>1.30-3.00</p>	<p>Session 11A EVIDENCE, FACTS AND TRUTH Location: Ballroom 3 Speakers: <i>Alison Christou PPT</i>, TC Beirne School of Law, University of Queensland "Not the Australian Inquisition!" Issues of mandate and practice for non adversarial adjudication" <i>Dr Andrew Cannon AM</i>, Deputy Chief Magistrate, South Australia Finding The Facts: The Judge Should Lead The Search Party <i>Michael Legg</i>, Faculty of Law, University of New South Wales Pre-action Protocols Chair: <i>Ms Roseanne Nettleton</i>, Legal Practitioner, Victoria</p>	<p>Session 11B APOLOGY Location: Ballroom 1 Speakers: <i>Professor Robyn Carroll PPT</i>, University of Western Australia Insights into the Value of Ordered Apologies in Equal Opportunity Cases <i>Natalia Blecher PPT</i>, Supreme Court of New South Wales Sorry Justice: The Role of Apology in Family Group Conferencing <i>Associate Professor Tony Foley</i>, Australian National University College of Law The scope for generating just outcomes in criminal and civil proceedings through apology and forgiveness Chair: <i>Professor Neil Rees</i>, Victorian Law Reform Commission</p>	<p>Session 11C NON-ADVERSARIAL JUSTICE: IMPLICATIONS Location: Ballroom 2 Speakers: <i>John McShane</i>, McShane & Davis LLP, Texas Practicing as a Lawyer/Healer <i>Professor Marjorie Silver</i>, Touro Law Center, New York Implications for the Legal Profession: Support Groups for Personal Skills Development <i>Associate Professor Bobette Wolski, PPT</i>, Bond University Queensland Reform of the Civil Justice System Two Decades Past - (In)adequate Responses from Law Schools and Professional Associations? Chair: <i>Professor Greg Reinhardt</i>, Australasian Institute of Judicial Administration</p>	<p>Session 11D DEVELOPING THERAPEUTIC JUDGING PANEL Location: Delacombe Panelists: <i>The Hon Eugene Hyman</i>, Judge, Superior Court of California Problem-Focused Domestic Violence Courts <i>Chief Magistrate Michael Hill</i>, Tasmania Developing Therapeutic Judging – The Tasmanian Experience <i>Magistrate Steve Wilson</i>, Western Australia Non-Adversarial Justice in the Solomon Islands Court System <i>Dr Michael King</i>, Senior Lecturer, Monash University Exploiting the Territory, Safeguarding the Borders: The Advantages and Limits of Solution-Focused Judging Chair: <i>Magistrate Christine Roney</i>, Magistrates' Court of Victoria</p>	<p>Session 11E MEDIATION Location: Hotham/Hopetoun Speakers: <i>Shawn Whelan PPT</i>, Senior Consultant, CMA Learning Group Melbourne Teaching negotiation and mediation <i>Rachael Field</i>, Senior Lecturer, Law School, Queensland University of Technology Contextual Ethics in Mediation: Supporting a Paradigm Shift from Mediator Neutrality to Relational Party Self-Determination <i>Nicky McWilliam</i>, New South Wales Can research about school peer mediation programs inform the law: an empirical study Chair: <i>Mr Gary Thompson</i>, Courts Administration Authority, South Australia</p>

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3.00-3.30	Afternoon Tea				
3.30-5.00	<p style="text-align: center;">Session 12A COURT AND CASE MANAGEMENT</p> <p>Location: Ballroom 3 Speakers: Charlotte Stockwell, Chief Executive Officer, Magistrates' Court of Victoria Managing the Non-Adversarial Court <i>Dr Fiona Hanlon, PPT</i>, Victoria Criminal conferencing - Managing or Re-Imagining Resolution of Criminal Proceedings? Chair: <i>Justice Terry Sheahan AO</i>, Land & Environment Court of New South Wales</p>	<p style="text-align: center;">Session 12B HOLISTIC LAW</p> <p>Location: Hotham/Hopetoun Speakers: Michelle Brenner, Holistic Conflict Resolution Consultant, University of Technology, New South Wales and <i>Taura Carmen Hetaraka</i>, Cultural Expert Holistic Law Traditional Hawaiian Conflict Resolution - Ho'oponopono Chair: <i>Mr John McShane</i>, McShane & Davis, LLP, Texas</p>	<p style="text-align: center;">Session 12C PREVENTIVE LAW</p> <p>Location: Ballroom 1 Speaker: <i>Professor Thomas Barton</i>, California Western School of Law, San Diego Problem-Solving and Prevention By General Jurisdiction Judges Followed by Workshop on Preventive Law Chair: <i>Ms Carly Schrever</i>, Manager, Project, Judicial College of Victoria</p>	<p style="text-align: center;">Session 12D PANEL (PRACTICAL TIPS)</p> <p>Location: Ballroom 2 Panelists: <i>John Lesse</i>, <i>Sue Wakeling</i>, Magistrates' Court of Victoria and <i>Magistrate Margaret Harding</i>, Victorian Drug Court Chair: <i>Professor David Tait</i>, University of Western Sydney, New South Wales</p>	<p style="text-align: center;">Session 12E RESTORATIVE JUSTICE AND TRUTH AND RECONCILIATION IN SOUTH AFRICA</p> <p>Location: Delacombe Speakers: <i>Associate Professor Annette van der Merwe</i>, Department of Procedural Law, University of Pretoria, South Africa Restorative Justice emerging in South Africa: some case studies <i>Professor Tushar Kanti Saha</i>, National University of Lesotho, Africa Truth and Reconciliation Commission – A South African Perspective Chair: <i>Professor Greg Reinhardt</i>, Australasian Institute of Judicial Administration</p>