

**Programme Rundown
for**

The International Conference on Access to Non-Judicial Justice

Venue: Connie Fan Multi-media Conference Room, City University of Hong Kong

Dates: 26 - 28 October 2011

*ALL TIMES ARE APPROXIMATE TIMES AND SUBJECT TO CHANGE, IF NECESSARY, TO ACCOMMODATE THE CONFERENCE.

Wednesday, 26 October 2011

- 5.45 – 6.00 pm: Registration
- 6.00 – 6.30 pm: Tea Reception
- 6.30 – 7:30 pm: Inaugural Asia Pacific Law Review Lecture by **Professor Jeffrey JOWELL** (KCMG, QC, Founding Director of the Bingham Centre for the Rule of Law)
Topic: *The Rule of Law: Rhetoric or Universal Principle?*
- Chair: Professor Wang Guiguo, Dean of Law, City University of Hong Kong
- 7:30 – 10:00 pm: **Dinner**

Thursday, 27 October 2011

- 9.00 – 9.40 am: Signing ceremony with Permanent Court of Arbitration (PCA)
- Welcome Address: Professor Wang Guiguo, Dean of Law, City University of Hong Kong
- Address by **Mr. Christiaan M.J. KRÖNER** (Secretary-General of PCA, former Netherlands ambassador to the USA, France and Italy)
Topic: *International Arbitration: A Universal Vocation*
- 9.40 – 10.30 am: **“SETTING THE TONE”**
- Session Chair: **Mr Alan Lai** (The Hong Kong Ombudsman)

- 1) *Independent Complaint and Review Agencies – Advantages and Successes*
Professor John McMILLAN AO (Australian Information Commissioner, Office of the Australian Information Commissioner, Canberra, Australia; Emeritus Professor of the Australian National University, Canberra; National Fellow of the Institute of Public Administration)

Australia; Fellow of the Australian Academy of Law; Former President of the Australian Institute of Administrative Law, Former Commonwealth Ombudsman of Australia)

2) *The Duties of Fairness and Impartiality on Non Judicial Justice*

Professor Shimon SHETREET (Head of the Sacher Institute of Legislative Research and Comparative Law; Greenblatt chair of public and international law; Professor of Law, Hebrew University of Jerusalem, Israel)

3) *Non-Judicial Justice – Intergenerational Issues as a Challenge to be met*

Professor Bea VERSCHRAEGEN (Honorary Presidente of the Commission Internationale de l'Etat Civil (CIEC); Head of the Austrian National Committee of the International Academy of Comparative Law (IACL); President of the International Society of Family Law (ISFL); Head of the Department of Law and Legal Unit, Private International Law, University of Vienna)

10.30 – 11.00 am: **Group Photo Session and Tea Break**

<p>In the following sessions, each speaker will have 15 – 20 minutes to present their topic and 20 minutes for discussion</p>
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11.00 am – 12.15 pm: SESSION 1: ADMINISTRATIVE DISPUTE RESOLUTION SYSTEMS—I

Session Chair: **Mr Daniel Fung** (SBS, Senior Counsel, QC, JP, Former Solicitor General)

1) *Office of the Independent Adjudicator and its Role in Administrative Justice in Higher Education in England and Wales*

Professor Chris GALE (Director/Head of Bradford University Law School, United Kingdom)

2) *Parliamentary and Health Service Ombudsman and complaints about the work of the Health and Safety Executive*

Ms Alexandra DOBSON (Leader of Business Accountability and Responsibility Centre at the University of Wales, Newport Business School, Wales)

3) *Enhancing Access, Flexibility and Efficiency: ADR Processes in the Australian Administrative Appeals Tribunal*

Ms Clare BYRT (District Registrar, Administrative Appeals Tribunal, Adelaide, South Australia, Australia)

12:15 – 2.00 pm: **Lunch**

2.00 – 3.15 pm: SESSION 2: ADMINISTRATIVE DISPUTE RESOLUTION SYSTEMS—II

Session Chair: **Ms. Susan Cibau** (Senior Conciliation Officer, Accident Compensation Conciliation Service Executive Management)

- 1) *Access to Non-Judicial Justice in Public Housing: Administrative Adjudication*
Ms Kathleen McEVOY (Associate Professor/Associate Dean, School of Law, University of Adelaide, South Australia, Australia)
- 2) *Indian Consumer Protection Act – An Exploratory Study from an Access to Justice Perspective*
Ms Yashomati GHOSH (Assistant Professor, National Law School of India University, Bangalore, India)
- 3) *Using ADR to Resolve Individual Workplace Grievances: The Experience of Australian Industrial Tribunals*
Professor Joellen RILEY (Professor of Labor Law, Sydney Law School, Sydney, Australia) and **Ms Therese MACDERMOTT** (Senior Lecturer, School of Law, Macquarie University, Sydney, Australia)

3.15 – 3.30 pm: **Tea Break**

3.30 – 5.10 pm: SESSION 3: REFLECTIONS ON ADR AND RESTORATIVE JUSTICE

Session Chair: **Ms Fan Yang** (Assistant Professor and the Associate Programme Leader for the LLMArbDR Programme, School of Law, City University of Hong Kong)

- 1) *Foreclosure and Alternative Dispute Resolution in the United States: Promoting Social Justice or Merely Delaying the Pain?*
Professor Charles D BOOTH (Professor and Director of the Institute of Asian-Pacific Business Law, William S. Richardson School of Law, University of Hawaii at Mānoa, USA) and **Professor Carole J PETERSEN** (Professor and Director of the Matsunaga Institute for Peace and Conflict Resolution, William S Richardson School of Law, University of Hawaii at Mānoa, USA)
- 2) *Mastering the art and skill of procedural justice: creating the transformational shift to non-adversarial practice*
Professor Nadja ALEXANDER (Prof of Conflict Resolution and Director of the Institute for Conflict Engagement and Resolution, Hong Kong Shue Yan University and Bond University Australia, and International ADR Consultant for the World Bank Group) and **Professor Jill HOWIESON** (Associate Professor/ Associate Dean, School of Law, University of Western Australia, Australia)
- 3) *Unlocking the Full Potential of ADR and Restorative/Reparative Justice in Criminal Justice Delivery: A Nigerian Perspective*
Dr Tahir MAMMAN (Director General, Nigerian Law School, Nigeria, Africa) and **Mr Kevin NWOSU** (Former Director Academics, Nigerian Law School, Nigeria, Africa)

4) *The Practice and Development of ADR Mechanisms in China*

Professor Chengjie WANG (Deputy Director General of CCPIT Legal Affairs Department and Secretary-General of CCPIT/CCOIC Mediation Center)

5.15 – 5.30pm: Day's Closing Remarks: **Professor Anton COORAY** (Professor and Associate Dean, School of Law, City University of Hong Kong)

6.30 – 10.00 pm: **Dinner**

Friday, 28 October 2011

9.00 – 10.00 pm: SESSION 4: REFLECTIONS ON UNDERLYING PRINCIPLES OF DISPUTE RESOLUTION

Session Chair: **Dr Lin Feng** (Associate Professor, School of Law, City University of Hong Kong)

1) *Access to Justice in European Competition Law – Public Enforcement as a Supplementary Channel for ‘Corrective Compensation’*

Professor Ariel EZRACHI (Director of the University of Oxford Centre for Competition Law and Policy; Lecturer in Competition Law, Slaughter and May, Oxford University)

2) *Natural Justice Principles & Arbitration*

Professor Austin I PULLÉ (Associate Professor, School of Law, Singapore Management University, Singapore)

10.00 – 10.15 am: **Tea Break**

10.15 am – 12.00 pm: SESSION 5: ADR IN THE COMMERCIAL ARENA

Session Chair: **Professor Christopher Ryan** (Associate Dean, City University of London)

1) *Alternative Dispute Resolution in Securities Transactions and its Application in Malaysia*

Professor Aishah BIDIN (Professor of Corporate and Insolvency Law and Dean of the Faculty of Law, Universiti Kebangsaan Malaysia (UKM), Malaysia)

2) *Conflicts and Hierarchy of Regulations Governing Procedure in International Commercial Arbitration*

Dr Dalma DEMETER (Assistant Professor, School of Law, University of Canberra, Canberra, Australia)

3) *A Comparative Study on the Arbitrability of Intellectual Property Disputes*

Mr Gillet EMMANUEL (PhD Candidate, Centre Universitaire d'Enseignement et de Recherches en Propriété Intellectuelle (CUERPI), Grenoble, France)

4) *Dispute on Uncertainty in International Commercial Arbitration and Measures for its Appeasement*

Mr Ravi Kumar SINGH and Mr Surabh SAXENA (Students, School of Law, KIIT University, Odisha, India)

12:00 pm – 2.00 pm: **Lunch**

2.00 – 3:30 pm: SESSION 6: REDRESS IN PUBLIC LAW AND RESTORATIVE JUSTICE

Session Chair: **Mr Simon Lee** (Deputy Law Officer (Civil), Department of Justice)

- 1) *Redress design in public law: who does it, how and why?*
Prof Andrew LE SUEUR (Professor of Public Law, Queen Mary, University of London, United Kingdom)
- 2) *The Idea of Restorative Justice: A Shifting Paradigm*
Dr Ritu GUPTA (Assistant Professor, University School of Law and Legal Studies, Guru Gobind Singh Indraprastha University, Dwarka, New Delhi, India)
- 3) *Justice to Victims – Measuring the Limitless through the Prism of Restorative Justice*
Ms SUNAINA (Assistant Professor, School of Law, Army Institute of Law, Punjab, India)
- 4) *The revival of the only indigenous or religious court in Sri Lanka: A Study of the Quazi courts*
Professor Anton COORAY (Associate Dean, Professor, School of Law, City University of Hong Kong, Hong Kong)

3:30 pm Conference Closing Ceremony:

Guest of Honour: Professor Arthur ELLIS, Provost, City University of Hong Kong

Tea Break

6.30 – 10.00 pm: **Dinner**