

# Managing Justice

...the way ahead for civil disputes

Thursday 18 May - Saturday 20 May 2000  
The Regent Sydney



The Australian Law Reform Commission is bringing together leading international and Australian figures to discuss civil justice issues for this dynamic and thought-provoking conference in Sydney.

*Managing Justice* will develop upon the ALRC's four year review of the federal civil justice system – the most extensive inquiry of its type ever conducted in Australia.

The conference will begin on the evening of Thursday 18 May 2000, with a welcome reception. Conference sessions will be held on Friday 19 May and Saturday 20 May 2000.

## 25th Anniversary Celebrations

For the 25 years since its establishment in 1975, the Australian Law Reform Commission has been a powerful force for education, research and change in the nation's legal landscape.

The *Managing Justice* conference will coincide with celebrations to mark the 25th Anniversary of the ALRC, with a gala dinner on the evening of Friday 19 May.

Dinner speakers will be:

- Foundation Chairman of the ALRC, the **Hon Justice Michael Kirby AC CMG**, High Court of Australia;
- Foundation ALRC Commissioner and former High Court Chief Justice, the **Hon Sir Gerard Brennan AC KBE**;
- Current ALRC President, **Professor David Weisbrot**.

## The Speakers

The conference program will include many judges, practitioners and academics – from both Australia and overseas – who have made distinguished contributions to civil justice reform.

Keynote and opening speakers are:

- **The Hon Chief Justice Murray Gleeson AC**, Chief Justice of the High Court of Australia.
- **The Hon Daryl Williams AM QC MP**, Commonwealth Attorney-General
- **Professor Roderick A Macdonald**, President of the Law Commission of Canada and the FR Scott Professor of Constitutional and Public Law at McGill University (where he was Dean of Law 1984-89).

His research and teaching interests are constitutional law, administrative law, civil law, philosophy of law, sociology of law and commercial law.

Professor Macdonald was Director of the Law Society Program of the Canadian Institute for Advanced Research (1989-94). He was Chair of the Task Force on Access to Justice of the Ministère de la justice du Québec (1989-91). He has also been a consultant to Royal Commissions on Canada's economic prospects, and on Aboriginal peoples.

- **Dr Deborah Hensler**, the Judge John W Ford Professor of Dispute Resolution at Stanford Law School. She is a Senior Fellow at the pre-eminent US think-tank RAND (1993-98), having previously served as the Director of the Institute for Civil Justice within the same organisation.

Dr Hensler's research since 1979 has focused on public policy issues in the civil justice area. Her empirical research on dispute resolution and mass tort litigation has won national recognition. She is on the Board of Directors for the American Judicature Society, the American Arbitration Association, and the California Supreme Court Historical Society.

Dr Hensler is widely published on the subjects of mass torts and personal injury litigation, alternative dispute resolution, the civil justice system and policy, and gender bias in the courts.

- **Professor William Felstiner**, the Distinguished Research Professor of Law at Cardiff University in the UK, and the Scientific Director (elect) of the International Institute for the Sociology of Law in Onati, Spain.

He was a Visiting Professor (Sociology/Law and Society) at the University of California, Santa Barbara and from 1986-92 was a Research Fellow at the American Bar Foundation (Emeritus since 1992) and Director (1986-92).

Professor Felstiner is President of the Working Group of the Comparative Studies of Legal Professions of the International Sociological Association. His areas of interest are the legal profession, law and culture, litigation and legal education and is widely published, having more than 59 scholarly publications to his name.

- **Professor Hazel Genn**, Professor of Socio-Legal Studies in the Law Faculty of University College London (previously Professor and Head of the Department of Law at Queen Mary and Westfield College, University of London). Before joining London University she held full-time research posts at Oxford University Centre for Socio-Legal Studies and the Cambridge Institute of Criminology.

She is President of the Society of Public Teachers of Law, and Chair of the Economic and Social Research Council's Research Grants Board. She has served on the Judicial Studies Board for the past six years.

Professor Genn has a long-standing research interest in civil justice and has published widely in the field. Her most recent publication is *Paths to justice: what people do and think about going to law* (1999), which reports the findings of a major national survey of the incidence of civil problems and disputes and the way that the public deals with them.

## The Program

The conference program has been designed to allow time for active discussion, questions and comment from the floor during plenary and parallel sessions.

### Thursday, 18 May 2000

**1600 – 1700: Early registration**

**1700 – 1900: Welcome reception**

### Friday, 19 May 2000

**0800 – 0900: Registration & morning coffee**

**0900 – 0930: Conference opening & official welcome**

Prof David Weisbrot, President ALRC  
The Hon Daryl Williams AC QC MP, Commonwealth Attorney-General

**0930 – 1045: Opening address**

The Hon Justice Murray Gleeson, Chief Justice, High Court, 'Managing Justice in the Australian context'  
Commentator: TBC  
Chair: The Hon Justice John von Doussa, Federal Court & ALRC

**1045 – 1115: Morning tea**

**1115 – 1230: Keynote address**

Prof Roderick A Macdonald, Law Commission of Canada, 'Achieving access to justice through systemic reform - an international perspective'  
Commentator: Dr Kathryn Cronin, Deputy President, ALRC  
Chair: The Hon Justice Michael Black, Chief Justice, Federal Court

**1230 – 1400: Lunch (provided)**

**1400 – 1530: Keynote address**

Prof Hazel Genn, University College, London, 'Paths to justice: what people do and think about 'going to law''  
Commentator: Prof Rosemary Hunter, Griffith University  
Chair: The Hon Justice JJ Spigelman, Chief Justice, Supreme Court of NSW

**1530 – 1600: Afternoon tea**

**1600 – 1730: Parallel sessions**

*Session A* - 'Promoting fair and effective settlements of civil disputes'

The Hon Justice Ian Coleman, Family Court & ALRC  
Mr Andrew Cannon SM, Supervising Magistrate (Civil), SA Magistrates Court

Mr Bruce Barbour, Senior Member, Administrative Appeals Tribunal

Mr Peter Sallman, Crown Counsel, Victoria

*Session B* - 'Alternatives to litigation - the way forward'

Prof Hilary Astor, University of Sydney

Prof Laurence Boulle, Bond University

The Hon Andrew Rogers QC

Mr Geoffrey Gibson, Blake Dawson Waldron

**1930: ALRC 25th Anniversary Dinner**

Prof David Weisbrot, President ALRC

The Hon Justice Michael Kirby, Foundation Chairman ALRC, Justice of the High Court

The Hon Sir Gerard Brennan, Foundation Commissioner and former Chief Justice, High Court

### Saturday 20 May 2000

**0830 – 0900 Registration & morning coffee**

**0900 – 1030: Keynote address**

Dr Deborah Hensler, Stanford Law School, 'Mass torts and large scale litigation'

Commentators: Dr Peter Cashman, Maurice Blackburn Cashman

Mr Geoff Masel, Phillips Fox

Chair: The Hon Justice Murray Wilcox, Federal Court

**1030 – 1100: Morning tea**

**1100 – 1230: Parallel sessions**

*Session A* - 'Managing native title litigation'

Mr Graeme Neate, President, NNTT

Mr Les Malezer, Foundation for Aboriginal & Islander Research

Ms Louise Anderson, National Native Title Coordinator, Federal Court

Ms Chris Fewings, Native Title Services, Dept of the Premier & Cabinet, Qld

Panellist TBC

Session B - 'Managing complex litigation'

Mr Bob Gotterson QC

Mr Julian Burnside QC, Victorian Bar

Ms Juliana Warner, Partner, Freehill Hollingdale & Page

Mr Gerald Raftesath

**1230 – 1345: Lunch (provided)**

**1345 – 1500: Keynote address**

Prof William Felstiner, Cardiff University, 'Lawyers' obligations for managing justice'

Commentators: Mr Donald Robertson, Freehill Hollingdale & Page

Prof Stephen Parker, Monash University

Chair: The Hon Justice Catherine Branson, Federal Court

**1500 – 1515: Afternoon tea**

**1515 – 1630: Plenary panel discussion & conference close**

'The way ahead for civil disputes'

The Hon Sir Anthony Mason

Prof David Weisbrot, President ALRC

The Hon Justice Mark Weinberg, Federal Court & ALRC  
Panellists TBC

**1630 – 1730: Winetasting - specially selected Australian wines.**

**The Venue**

The venue for the Australian Law Reform Commission's *Managing Justice* conference and 25th Anniversary Dinner is the Regent Sydney. Located in the historic Rocks, just steps from Sydney's spectacular harbour and the Central Business District, the hotel boasts superb accommodation and facilities including six restaurants and bars, a business centre, Sydney's largest roof-top pool and an inhouse health club.

**Further information**

For further information, please contact:

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Information on *Managing Justice* and the Australian Law Reform Commission's 25th Anniversary Dinner is also available at <<http://www.alrc.gov.au>>

