

**LAWASIA down under 2005**  
**Available Session Papers**

**Plenary Session 2:**

- Sean Dorney, *The Law & Politics – the role of a free press in maintaining the rule of law*
- Stephen Kenny, *The Law & Politics – the role of a free press in maintaining the rule of law*

**Stream 3**

**Session 3.1: Development and Law in China**

- Wang Li, *Financial non-performing assets disposal in China involving foreign capital: opportunities and challenges*
- Dr Yang Guoha, *Establishment of a new foreign economic and trade law system since China's accession to the WTO*
- Dr Li Maomian, *The Reform of Chinese Company Law*
- Li Ning, *The Socialisation of Chinese Execution Mode and Community Correction Systems*

**Session 3.2: Investment Law – when giants awake**

- Ian McCubbin, *When giants awake*
- Mr Manoj K Chhabra, *When giants awake – an Indian perspective*

**Session 3.3: Multi Disciplinary Practices & ILPs**

- Ian McGill, *Multi Disciplinary Practices & ILPs*
- Masahiro Shimojo, *Japanese Perspective of Multi Disciplinary Practices & ILPs*

**Session 3.4: Patents & Biotechnology**

- Dr Bill Pickering, *Patents & Biotechnology*
- Kim O'Connell, *Is the law keeping up with current developments in Biotechnology?*

**Stream 4**

**Session 4.1: The Geography of Crime**

- Judge Garry Forno, *Geography of crime*

**Session 4.2: Expert Witnesses**

- Dr David Morgan, *Expert Witnesses – the more the merrier?*
- The Honourable Justice Peter McClellan, *Expert Witnesses – the experience of the Land and Environment Court of New South Wales*

**Session 4.3: Teaching of Legal Ethics**

- Johan Sabaruddin, *Legal Ethics, taught and practiced – a Malaysian perspective*

**Session 4.4: Corporate Governance & Business Regulation**

- John Versantvoort, *Corporate governance reform in Europe*
- Masatsugu Suzuki, *Improvement of corporate governance in Asia – a Japanese experience*
- Professor Berna Collier, *New expectations on corporate disclosure: an Asia Pacific perspective*

**Session 4.6: Independence of judges and lawyers in the Asia Pacific region: what tasks still remain?**

- Nihal Jayawickrama, *Revisiting the UN Basic Principles on the independence of the judiciary*

**Stream 5**

**Session 5.1: Prisoner exchange – the movement of prisoners, pre and post-trial**

- Tom Percy QC, *Prisoner transfer law in Australia*

### **Session 5.2: Advocacy**

- Philip Jeyaretnam SC, Getting to the point – advocacy in Singapore
- The Honourable Justice Murray Kellam, Advocacy training
- The Honourable Justice James Douglas, Advocacy training

### **Session 5.3: Judicial Education – how do judges keep up to date?**

- The Honourable Justice John Doyle AC, How do judges keep up to date?

### **Session 5.4: Legal issues in water management**

- Lisa Lombardi, An overview of the structure of Australian Water Law
- Dr Poh-Ling Tan, Water: title, security, conflict
- Tehmtan Adhyarujina, Inter-State water disputes in India

### **Session 5.5: Internet Issues**

- Isabella Ho, Internet issues

### **Session 5.6: Arbitration – a viable alternative to judicial resolution?**

- Dato' Syed Ahmad Idid, Arbitration – a viable alternative to judicial resolution?
- The Honourable Judge Andrew Rogers QC, Arbitration – a viable alternative to judicial resolution?

## **Stream 7**

### **Session 7.1: e-Courts – Myth or Reality?**

- Sandra Potter & Phil Farrelly, e-Courts – myth or reality?

### **Session 7.2: Immigration & Big Business**

- Bernard Banks, Immigration & Big Business work force needs – a New Zealand perspective
- Ranjit Malhotra, Indian immigration law: foreign entrepreneurs and corporates setting up office in India
- Maria Jockel, Immigration & Big Business

### **Session 7.3: Reservation of legal work**

- Steve Mark, What is legal work? A regulator's view
- Dr Ian McEwin, Reservation of legal work

### **Session 7.4: Civil & Syariah family law – potential conflicts**

- Anil Malhotra, Civil & Syariah family law – potential conflicts
- Mohammed Lufti Hussin, Civil & Syariah family law – potential conflicts
- Steven Thiruneelakandan, The conflict of jurisdictions in civil and Islamic family law in Malaysia

### **Session 7.5: Plain language & property law**

- Professor Peter Butt, Plain language in property law

### **Session 7.6: Energy & Environment**

- Dr Soung Soo Kim, North East Asia's (Korea) response to climate change
- Tas Sakellaris, Energy and environment

## **Stream 8**

### **Session 8.1: Capital punishment – different views in the Asia Pacific region**

- The Honourable Justice Ian Callinan AC, Capital Punishment
- K S Rajah SC, The mandatory death sentence
- Tony Glynn SC, Death penalty: to execute one terrorist is to reward terrorism

### **Session 8.2: Equal opportunity in law**

- Malathi Das, Gender in justice: women in the law in Singapore
- Chief Justice Marilyn Warren, Equal opportunity in the Law

### **Session 8.3: International legal tribunals and domestic law**

- Yasushi Higashizawa, *International legal tribunals and domestic law*

### **Session 8.4: Maritime law**

- Paul Willee RFD QC, *Piracy: recent developments*
- Dr Alan Khee-Jin Tan, *The legal implications of the ISPS code on commercial shipping*

### **Session 8.5: Family structures and family law**

- The Honourable Justice B J Warnick, *Rough patches in the relationship between Australian society and family law – should there be a divorce?*

## **Stream 9**

### **Session 9.1: Creative sentencing and plea bargaining – does it happen and what are the results?**

- Nick Cowdery AM QC, *Creative sentencing and plea bargaining – does it happen and what are the results?*
- Robert Mulholland QC, *Creative sentencing and plea bargaining: promising options in a sea of imprisonment*

### **Session 9.2: Immigration, nationality and domicile – the plight of refugees**

- The Honourable John von Doussa, *Asylum seekers in Australia – policy and law “The best of times, the worst of times?”*
- Dr Mary Crock, *Deflecting refugees in the Asia Pacific region: provenance and prospects of Australia’s Pacific strategy*

### **Session 9.3: e-Conveyancing and e-transactions**

- Professor Sharon Christensen & Professor Bill Duncan, *Challenges for electronic conveyancing and registration of titles office instruments*

### **Session 9.5: Admission to practice – practical legal training and other admission routes**

- The Honourable Justice John Perry, *Admission to practice – practical legal training and other admission routes*
- Melissa Timmins, *The Role of the Legal Practitioners Admissions Board in respect of Suitability for Admission as a Legal Practitioner – A Queensland Perspective*

## **Stream 10**

### **Session 10.1: Indigenous justice – indigenous laws at the colonial interface**

- Annette Hennessy SM, *Indigenous justice – indigenous laws at the colonial interface*
- Frazer Pitpit, *Indigenous justice – indigenous laws at the colonial interface*

### **Session 10.2: Separation of powers**

- Dato Cyrus Das, *Separation of powers: adaptations of the Westminster model*
- P P Rao, *Separation of powers: an Indian experience*

### **Session 10.3: Franchising in Asia and the Pacific**

- Preeti Mehta, *Franchising in India*

### **Session 10.4: Knowledge Ownership**

- Dr Robert Dean, *Secrets – are they property?*
- Professor Margaret Jackson, *Board Confidentiality*

### **Session 10.5: Admission of foreign lawyers**

- Fernando Pelaez-Pier, *IBA’s work on international legal practice in the context of admissions of foreign lawyers*
- Arjuna Nadaraja, *Admission of foreign lawyers: an overview of the WTO process in liberalising legal practice internationally*

**Session 10.6: Government response to terrorism – has it changed life forever? Is it working?**

- Mah Weng Kwai, *Government response to terrorism*

**Plenary Session 11**

- Dr Angela Ward, *The importance of Bills of Rights*
- Dennis Richardson AO, *The law and international relations*

**Stream 12**

**Session 12.1: The media and criminal law**

- The Honourable Chief Justice Paul de Jersey AC, *The media and criminal law*
- Mark Trowell AC, *The media and criminal law*

**Session 12.2: The Interface between Bankruptcy & Family Law**

- Justin Dowd, *The interface between bankruptcy and family law*

**Session 12.3: Tsunami**

- Palitha Kumarasinghe, *Legal issues in the aftermath of the tsunami in Sri Lanka*
- Surendra G Desai, *Tsunami*

**Session 12.4: International tax and estate planning for individuals changing residence within the Asia Pacific region**

- John Hart, *International tax and estate planning for individuals changing residence within the Asia Pacific region*

**Stream 13**

**Session 13.1: International arbitration and expert determination**

- Andrew Jeffries, *Key features of arbitration and expert determination*
- Professor Doug Jones AM, *Arbitration and expert determination in Australia*
- Dr Gavan Griffith AO QC, *Arbitration: the UNCITRAL Model Law of International Commercial Arbitration – coming of age in the region*
- Dato' Noorashikin binti Tan Sri Abdul Rahim, *International arbitration in Malaysia*
- Kap You Kim, *Commercial arbitration in Korea*
- Dato' Cecil Abraham, *Arbitration and expert determination in Malaysia*
- Philip Yang, *A focus on arbitration in Hong Kong and expert determination*
- Tomas Kennedy Grant, *Arbitration and expert determination in New Zealand*
- Shishir Dholakia SC, *International arbitration and expert determination*

**Session 13.2: Philanthropy and the law**

- Matthew Turnour, *Philanthropy and the law – useful websites*

**Session 13.3: Future of intellectual property**

- Dato' V L Kandan, *The future of intellectual property*
- Professor Dan Hunter, *The future of intellectual property*
- David Weber, *Intellectual property – challenges for the future*

**Session 13.4: Communications and media law – strike up the band**

- Paul Mallam, *Striking up the band: the Australian broadband story*
- Andrew Ong, *The impact of broadband on media – a Singapore perspective*

**Session 13.5: Human Rights in the Asia Pacific**

- The Honourable Justice Kishor Govind, *Aspects of human rights in Fiji*
- Mikiko Otani, *Revising benefits of creating national human rights institutions: Japanese and the Asia Pacific contexts*
- Soli Sorabjee, *Human rights in the Asia Pacific*

## Stream 14

### **Session 14.1: Tort law reform**

- The Honourable Chief Justice Paul de Jersey AC, *Recent Australian tort law reform: was it necessary and did it go too far?*
- Tom Goudkamp, *Has tort law “reform” gone too far?*

### **Session 14.2: e-Practice – the changing face of law**

- Elizabeth Broderick, *e-Practice: the changing face of law*

### **Session 14.3: Alternative dispute resolution in family law**

- Ed Shackell, *ADR and family law: a community based view – where are we now and where are we headed?*

## Stream 15

### **Session 15.2: Self-represented litigants**

- Judge Osamu Yamaji, *Plans for the self-represented litigants in the District Court of Japan*

### **Session 15.3: Continuing professional development**

- Lester Huang, *Continuing professional development*
- Peter Lyons, *Continuing professional development: use of eLearning technology to deliver CDP programs to practitioners*
- Amanda Blesing, *A continuing professional development scheme one year on*

### **Session 15.4: Dispute Minimisation in the Construction Industry – Keeping the Money Flowing & Protecting the innocent**

- Ross Williams, *Dispute minimisation in the construction industry*

### **Session 15.5: Superannuation and third parties**

- Garry Watts, *Splitting superannuation on marriage breakdown in Australia*

### **Session 15.6: Nepal – Breakdown of legal systems, threats to legal infrastructure caused by civil unrest**

- Bishwa Kant Mainali, *The breakdown of legal systems: threats to legal infrastructure caused by civil unrest in Nepal*

## Stream 16

### **Session 16.1: Case management**

- Anne Matheson, *Caseflow management in the County Court of Victoria – tools and techniques*
- Warwick Soden, *Case management in Australian courts – looking back to the future*

### **Session 16.4: Educating new entrants to the legal profession**

- Professor Michael Adams, *Reflections on legal education and developments in technology for lawyers*
- Associate Professor Sally Kift, *For better or for worse? 21<sup>st</sup> century legal education*
- Ann Trimmer, *Educating new entrants to the legal profession*

### **Session 16.5: Indigenous ownership of intellectual property**

- Colin Golvan SC, *Aboriginal art and copyright – an overview and commentary concerning recent developments*
- Karen Abraham, *Interfaces between intellectual property and traditional knowledge*
- Philip McCabe, *Maori Trademarks*

## Plenary Session 17

- The Honourable Chief Justice Murray Gleeson AC, *State of the judiciary*
- The Honourable Attorney General Philip Ruddock MP, *Law and the government*
- John North, *The state of the profession*