



AUSTRALASIAN INSTITUTE OF JUDICIAL ADMINISTRATION

Assisting Unrepresented Litigants – A Challenge for Courts and Tribunals Conference

Special Keynote speaker: Professor Dame Hazel Genn

Dean and Co-Director of the UCL Judicial Institute, Faculty of Laws, University College London

Do-It-Yourself Law: Access to Justice and the Challenge of Self-Representation

15-17 April 2014

Crowne Plaza Coogee Beach, 242 Arden Street, Sydney, New South Wales

PROGRAM

TUESDAY 15 APRIL

9.00-10.00	Registration
10.00-10.15	Welcome and Opening Welcome to Country Welcome: <i>The Hon Justice Michelle May</i> , President, AIJA
10.15-11.30	KEYNOTE: Case Study Pinpointing the various dilemmas for Courts and tribunals of self- represented litigants – The dark side of SRLs: Are they the new face of process abuse in Australian courts? <i>Professor Tania Sourdin</i> , Director, Australian Centre for Justice Innovation (ACJI) and <i>Ms Nerida Wallace</i> , Principal, Transformation Management Services, Victoria A self- represented litigant's experience with the Court <i>Ms Courtney Ryrie</i> , Self- Represented Litigant Coordinator and <i>Ms Lucille Thomas</i> , Manager (Civil Registry/Client Services), County Court of Victoria <i>Convenor/Moderator: The Hon Justice Helen Winkelmann</i> , Chief High Court Judge, New Zealand
	Oceanic Ballroom
11.30-12.10	Unrepresented Litigants – at home and away <i>Speaker: The Hon Justice Mark Le Poer Trench</i> , Chair, Self Represented Litigants Committee, Family Court of Australia <i>Convenor/Moderator: Ms Megan Greenwood</i> , Magistrate, Local Court of NSW
12.10-12.45	Self Represented Litigants – the Federal Circuit Court Experience <i>Speaker: His Honour Judge Stephen Scarlett</i> , Federal Circuit Court of Australia <i>Convenor/Moderator: Ms Megan Greenwood</i> , Magistrate, Local Court of New South Wales
12.45 -1.30	LUNCH

	Oceanic Ballroom	Terrace View Room
1.30-2.30	The Participation of Unrepresented Litigants in Dispute Resolution Conferences of the Children's Court of NSW. Observations; statistics and Anonymised Case Studies from a Children's Registrar's perspective <i>Speaker: Ms Edwina Hunter, Registrar, Children's Court of New South Wales</i> <i>Convenor/Moderator: Her Honour Chief Judge Jan-Marie Doogue, District Court, New Zealand</i>	The Merits Review of decisions by the National Disability Insurance Agency <i>Speaker: Ms Jill Toohey, Senior Member, AAT</i> <i>Convenor/Moderator: Ms Raelene Webb QC, President, National Native Title Tribunal, Western Australia</i>
	Oceanic Ballroom	
2.30-3.30	Panel session Self-representing people and the interface with Legal Aid <i>Participants: Ms Gabrielle Canny, Director, Legal Services Commission SA and Ms Kylie Beckhouse, Executive Director of Family Law, Legal Aid NSW</i> <i>Convenor/Moderator: Professor Greg Reinhardt, Executive Director, AIJA</i>	
3.30-4.00	AFTERNOON TEA	
	Oceanic Ballroom	Terrace View Room
4.00-4.45	Self Represented Parties and the Court Rules in Queensland <i>Speaker: Mr Iain McCowie, Solicitor, Self Representation Service (Courts), QPILCH</i> <i>Convenor/Moderator: Ms Belinda Cassidy, MAA, New South Wales</i>	"With a little help from a friend": Unrepresented litigants, friends and the question of payment <i>Speaker: Dr Nicky Jones, Lecturer, School of Law and Justice, University of Southern Queensland</i> A Third Way? The experience of Lay Advocates in both specialist and common law employment litigation in NZ <i>Speaker: Chief Judge Graeme Colgan, Employment Court, New Zealand</i> <i>Convenor/Moderator: Dr Andrew Cannon AM, Deputy Chief Magistrate, South Australia</i>
4.45-5.30	Guidelines for Barristers on dealing with self-represented litigants <i>Speaker: Mr Garry McGrath SC, Barrister, NSW Bar Council</i> <i>Convenor/Moderator: The Hon Justice Ann Ainslie-Wallace, Family Court of Australia</i>	Self represented litigants in the High Court of Australia <i>Speaker: Ms Denise Weybury, Deputy Registrar, High Court of Australia</i> <i>Convenor/Moderator: Ms Jane Reynolds, Manager, Family Court of Australia & Federal Circuit Court of Australia</i>
7.00-8.30	COCKTAIL RECEPTION – Oceanic or Terrace View Room	

WEDNESDAY 16 APRIL

	Oceanic Ballroom
8.30-9.30	Querulant Behaviour in Litigation <i>Speakers: Judge Philip Misso, County Court of Victoria</i> <i>Ms Narelle Bedford, Adjunct Lecturer Faculty of Law, Bond University and TC Beirne School of Law, University of Queensland and</i> <i>Ms Monica Taylor, Director, UQ Pro Bono Centre, University of Queensland</i> <i>Convenor/Moderator: The Hon Justice Ann Ainslie-Wallace, Family Court of Australia</i>

	Oceanic Ballroom	Terrace View Room
9.30-10.15	Panel session Managing the constant tension which exists between trying to persuade self- represented litigants (in civil proceedings and civil appeals particularly) to seek and retain legal advice (in the higher court setting) whilst always being cautious to keep the 'access to justice doors open <i>Speakers: Ms Nerida Wallace, Principal, Transformation Management Services, Victoria and Mr Shane Draper, Self-Represented Litigant Coordinator, Supreme Court of Victoria</i> <i>Convenor/Moderator: The Hon Justice Forrest Miller, Court of Appeal, New Zealand</i>	The use of technology to provide pro bono assistance to unrepresented litigants in regional and remote Australia <i>Speaker: Ms Leanne Ho, National Pro Bono Resource Centre</i> ‘Fourth Party’ assistance for unrepresented litigants; The next generation of online lodgement technology <i>Speaker: Mr Daniel Toohey, Adjudicator, Office of the Commissioner for Body Corporate and Community Management</i> <i>Convenor/Moderator: Mr Tim Carey, State Administrative Tribunal, Western Australia</i>
10.15-10.45	MORNING TEA	
	Oceanic Ballroom	
10.45-11.45	The Unrepresented Litigant on Appeal <i>The Hon Justice Margaret McMurdo AC, President, Court of Appeal, Queensland, the Hon Justice Margaret Beazley AO, President, Court of Appeal, NSW and the Hon Justice Michelle May, Appeal Division, Family Court of Australia</i> <i>Convenor/Moderator: The Hon Justice Michelle May</i>	
	Oceanic Ballroom	Terrace View Room
11.45-1.00	The unrepresented group member and Australian class actions <i>Speakers: Associate Professor Michael Legg, and Professor Simone Degeling, Faculty of Law, the University of NSW</i> <i>Convenor/Moderator: The Hon Justice Simon France, High Court of New Zealand</i>	Special Problems for Lay Participants in the Inquisitorial Context of a Coroner’s Inquest <i>Speaker: Judge Neil MacLean, Chief Coroner, Auckland District Court, New Zealand</i> <i>Convenor/Moderator: Professor Greg Reinhardt, Executive Director, AIJA</i>
1.00-2.00	LUNCH	
2.00-3.00	Innovative approaches or programmes being used-piloted/proposed in Australian and overseas jurisdictions <i>Speaker: Ms Julie Grainger, Member, VCAT</i> <i>Convenor/Moderator: His Honour Judge Colin Doherty, District Court of New Zealand</i>	Walk a Mile in My Shoes: Understanding SR Litigants’ Experiences <i>Speaker: Ms Bridgette Toy-Cronin, University of Otago, New Zealand</i> <i>Convenor/Moderator: The Hon Justice Ellen France, Court of Appeal, New Zealand</i>
3.00-3.30	AFTERNOON TEA	
3.30-5.15	Unrepresented litigants before tribunals <i>Speakers: Judge Carrie Wainwright, Chair, Immigration and Protection Tribunal, New Zealand</i> Tough love - justice and the right to self-representation in NSW tribunals <i>Mr Richard Perrignon, Senior Member (NCAT), Arbitrator (Workers Compensation Commission of NSW), Barrister, Mediator</i> Assisting self-represented parties outside of the hearing room: a registry perspective <i>Ms Sian Leathem, Principal Registrar, NCAT</i> <i>Ms Elizabeth Pendlebury, Solicitor, Self Representation Service, QPILCH</i> <i>Ms Peta Stilgoe OAM, Senior Member, QCAT</i> Access to justice in the State Administrative Tribunal: Experiences of self-represented litigants in strata title proceedings <i>Speaker: Dr Bertus de Villiers, Member, State Administrative Tribunal, Western Australia</i> <i>Convenor/Moderator: Ms Katrina Harry, National Registrar, Veterans’ Review Board</i>	Legal aids scheme in Indonesia: Between the Policy and the Implementation <i>Speaker: Dr E Sundari, Lawyer, Atma Jaya Yogyakarta University, Indonesia</i> <i>Convenor/Moderator: Professor Greg Reinhardt, Executive Director, AIJA</i>
7.00-10.30	DINNER – Oceanic Ballroom	

THURSDAY 17 APRIL

8.30–9.30	Oceanic Ballroom KEYNOTE: Do-It-Yourself Law: Access to Justice and the Challenge of Self-Representation <i>Professor Dame Hazel Genn</i> , Dean and Co-Director of the UCL Judicial Institute, Faculty of Laws, University College London <i>Convenor/Moderator: The Hon Justice Michelle May</i> , Appeal Division, Family Court of Australia	
	Oceanic Ballroom	Terrace View Room
9.30-10.45	Panel session Data Collection and measuring the impact of self represented litigants on any given jurisdiction <i>Facilitator: Mr Rob Schade</i> , Supreme Court of Victoria <i>Speaker: Mr Shane Draper</i> , Self-Represented Litigant Coordinator, Supreme Court of Victoria <i>Commentators: Professor Tania Sourdin</i> , Director, Australian Centre for Justice Innovation (ACJI), <i>Ms Nerida Wallace</i> , Principal, Transformation Management Services, Victoria and <i>Ms Simone Shields</i> , Principal Registrar, Magistrates' Court of Victoria <i>Chair: Mr Philip Kellow</i> , Administrative Appeals Tribunal	Assisting Self-represented Litigants for Cases with On-going Site Hearings or On-site Conciliation Conferences <i>Speaker: Mr Tim Moore</i> , Senior Commissioner, Land and Environment Court of New South Wales <i>Convenor/Moderator: Mr Graeme Neate</i> , Industrial Relations Commission, Queensland
10.45-11.15	MORNING TEA	
11.15-12.30	Unrepresented litigants and the practising profession The importance of Preserving the Independent Criminal Bar <i>Speaker: Mr Michael Gleeson</i> , Barrister, New South Wales Counsel's duty to assist opposing litigants where they are unrepresented <i>Speaker: TBA</i> <i>Convenor/Moderator: Mr Steven Stevens</i> , Principal, Stenas Legal, Victoria	
12.30	Conference Close	