

26TH ANNUAL FAMILY LAW CONFERENCE MDT / UWC 2024

13 to 15 MARCH 2024 at THE PRESIDENT HOTEL, Alexander Road, Sea Point

CONFERENCE REGISTRATION LINK: <http://www.mdtcinc.co.za/conference/>

Provisional Schedule of speakers and topics

13 March 2024

The sessions will *inter alia* deal with the Hague Conventions and developments in this regard.

15 March 2024

The ADR session will take place on this day.

14 and 15 March 2024

These days will have parallel sessions – the programme shall be finalized by end January 2024 and circulated.

1.

- Prof Thuli Madonsela – Opening speaker on 14 March 2024, focusing on Gender Based Violence
- Panel Discussion on Domestic Violence, Coercive control and the impact on families and children
- Linda Naidoo, UNODC, National Project Officer -Gender Based Violence (SA) - “Strengthen DNA collection, preservation and presentation in Gender-Based Violence Cases”
- Bernadine Bachar, Director Saartjie Baartman Centre for Women and Children – Domestic Violence
- Advocate Pat Moodley, Regional Head, DOJC, KZN

2.

- Linda Kasonde – Women, Resilience and the will to Lead (LCK Chambers, Zambia, CLA)

3. **Maintenance**

- Judge Daniel Thulare, Western Cape High Court– Maintenance
- Justice Fiona Mwale (Botswana) – Enforcing Child Maintenance Orders to the Malawi Justice System: A crisis for the Welfare of Children
- Rachael Kelsey, SKO Family Law, Scotland, President Elect IAFL - The Hague Child Support Convention
- Prof B Clark (UKZN) – Maintenance for unmarried dependent persons

4. **Property claims, Trusts, and Disclosure**

The Law Commission Matrimonial Property Discussion Paper –

Dr Muneer Abduroaf (UWC)

Prof Lea Mwambene (UWC)

Prof Helen Kruise (Rhodes) and/or

Geraldine Moloi (Specialist State Law Advisor)

Prof Anthony Diala

Adv Stuart Humphrey

Prof Julia Sloth-Nielsen (UWC & Hiddenfield) – Chair

- Prof B Clark (UKZN) with retired appeal court Justice Belinda van Heerden – Recent South African Marriage Reform Proposals - the Single Marriage Statute/the draft Marriage Bill
- The Hon. Justice Yorke-Young (High Court Trinidad and Tobago) – Cohabitation
- Prof Jens Scherpe (Aalborg University, Norway and UWC) – Cohabitation Reform
- Adv Jacqueline Julyan, London + KZN with Maria Scotland =comparative law panel property claims
- Ian Kennedy and Olivia Grobtuch
 - Trust Assets, Matrimonial Property
 - Regime and Cohabitees –Kennedy Law (Australia)
- Stephen Baker – International assets and Trusts
- Trust law expert-South Africa [TBC]
- Gloria Chikoanda
- Clement Marumoagae, University of Wits – “Catch me if you can”: The politics of financial disclosure when spouses are divorcing.
- Developing case law SA in matrimonial property and disclosure

5. **Parentage, the views of the child and the best interests of children.**

- The Hon. Gayle Carr – CEO, National Council of Juvenile and Family Court Judges (Northern America)
- Liuda A. Yablokova, SKY Lawyers, St Petersburg, Russia – The Voice of the Child and the Child’s interests in the right of the Hague 1980 Convention and how it is being interpreted by the Russian Courts.
- Dr Elvis Fokala (African Network of Constitutional Lawyers, Programme Manager: Children’s Right Unit Centre for Human Rights, Faculty of Law, Pretoria)
- Karabo Ozah - Centre for Child Law, Pretoria
- Isabel Magaya – Programme Manager, Children and the Law, African Child Policy Forum (Ethiopia)
- Samuel Munyuwiny, Kenya - Executive Director African Institute of Children Studies
- Dr Larissa Panieri-Pieters (SA) – psychiatrist – Expert evidence, children’s disputes and parents’ mental health. [TBC]
- Ayalew Getachew Asseffa, Secretariat of the ACERWC, Maseru (African Union)
- Dr Robert A Simon, psychologist, USA
- Melissa Kucinski, IAFL, AAML, USA – A Child’s participation in their parents’ custody case and representing children in Hague, with focus on the Uniform Law Commission Study [12h00 SA 14/3/24]
- Juliet Ruth Nyambura (Office of Chief Justice of Kenya) and Justice – Family law and access to justice for children
- Dianne Gordon Harison, Children’s Advocate, Jamaica - remotely

6. **Identity**

- Olga A Khazova – Child’s Identity: New challenges for family law - remotely
- Grace Agcaoili (UNICEF) – Civil status, identity, parentage and biometric identification
- Prof Katherina Boele-Woelki – Gender Identity of persons crossing borders in a comparative view of Europe

7. **ART**

- Meryl Rosenberg, Potomac, MD – ART / Parentage (remotely)
- Molly Sharma, Birnbaum Gelfman Sharman and Arnoux and Jonathan R Standefort LLC (Chicago) - ART – embryo disputes

- Undiga Emuekpere – Surrogacy in Nigeria [TBC]
- Stephen Page, Page Provan, Australia ART (remotely)
- Prof Jens Scherpe (Aalborg University, Norway and UWC)

8. **LGBTQI**

- Carli Schickerling – A report back on Namibian Case Law
- Sarah Williams, PHB, UK – Trans issues in the Family Courts

9. **Family Law Supervision**

- Lauren Carmichael, Expatriate Law (England, UAE, South Africa) - Family Law supervision with Dr Kate Jackowski - Australia [TBC] and Craig Schneider / Janet Bytheway

10. **Hague Conventions**

- Justice Connie Mocomie (SCA) (SA) -Hague Conventions
- Justice Victoria Bennett (FCFCOA) – Australia (remotely) [TBC]
- Justice Moylan, England and Wales [TBC]
- Dr Onyoja Momoh, Five Pump Court Chambers, University of Aberdeen – Hague Convention / Domestic Violence (remotely)
- Philippe Lortie or a Representative Permanent Bureau Hague Conference on Private International Law [TBC]
- Marilyn Freeman (remotely)
- Molly Sharma, Birnbaum Gelfman Sharman and Arnoux and Jonathan R Standefort LLC (Chicago) – Undertakings and the Hague

11. **Alternative Dispute Resolution** (Session on 15 March 2024)

- Adv Shirin Ebrahim (Family Advocate, Cape Town) - chair
- Catelijne Boshouwers (BSS Familierecht – Amsterdam) [TBC]
- Wendy van der Stroom-Willemsen (Smeets Gijbels - Amsterdam) and Annelief Verhoeff, CBM Mediator – How cross border mediation by way of the standard in the Hague 1980 procedures are integrated in the NL; the compact mediators according to the pressure cooker system.
- Gordon Ogola, Kenya – mediation
- Astrid Martalas

- Alison Shalaby – REUNITE
- Randolph Khoo, Dew & Napier, Singapore – mediation and arbitration
- Marzia Ghigliazza, Avvocata, Mediatrice Cross-border, Milano – mediation
- Alternative dispute resolution and developments, taking into account GBV, culture, religion, social influences, bias, children’s views and expert input.

12. Topics to be confirmed:

- Barbara Connolly KC (London)
- Ruth Chilembo and Justice, Zambia
- Magistrate Hlengiwe Mkhazibe (KZN, South Africa)
- William Longrigg, IAFL, London
- Mayte Garcia, Lawyer, Malaga Spain
- Carolina Marín Pedreño, Dawson and Cornwall, London
- Lucy Greenwood / Helen Blackburn
- Adriana de Ruiten, Tulip Abogados, Spain
- Laura Devine, Laura Devine Solicitors Limited (London) - Immigration [TBC]