

PROVISIONAL PROGRAMME

(SUBJECT TO AMENDMENT)

27TH ANNUAL FAMILY LAW CONFERENCE MDT / UWC 2024

26 to 28 MARCH 2025 at THE PRESIDENT HOTEL, Alexander Road, Sea Point

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

Wednesday, 26 March 2025

A. HAGUE SESSION

INTERNATIONAL ABDUCTION

- **The Hon. Justice Connie Mocumie** (SCA, SA, Hague Convention Liaison Judge) – 1996 Hague Convention on Parental Responsibilities
- **Philippe Lortie** (First Secretary, HCCH) – Hague Conventions (on line)
- **The Hon. Judge Martina Erb-Kluenemann** (Hague Convention Liaison Judge, Germany) - Hague Convention on the International Abduction of Children (on line)
- **The Hon. Lady Justice Mwamba Chanda** (Family and Children’s Division, Zambia) – Implementing Hague Conventions
- **The Hon. Justice Fiona Mwale** (Malawi) – The cost implications for joining the Hague for a Non-Hague county like Malawi
- **The Hon. Mr Justice MacDonald** (England) – Domestic Abuse and Art 13(b) (on line) [TBC]
- Hague Convention on the Abduction of Children [TBC]
- **Karolina-Zoi Andriakopoulou** (Greece) – A modern Greek Odyssey: Quantitative and Qualitative Factors affecting the Progress of Hague Abduction cases in Greece
- **Hugues Gaston** (Alexandre Boiché & Associates, France) – Art 13(1)(b) Hague Convention
- **Liuda A. Yablokova** (SKY Lawyers, St Petersburg, Russia) – The Cross-border cases involving children, cooperation between lawyers of the contracting states
- **Adv Narghis Bundhun SC** (Mauritius) – The Mauritius experience on the application of the Hague Convention on International Child Abduction
- **Prof Marilyn Freeman** (Co-Director ICFLPP and Principal Research Fellow Westminster Law School, London) and **Prof Nicola Taylor** (University of Otago, New Zealand) – Identity of children, relocation and international child abduction (on line)
- **Chief Family Advocate Thokoane Nthabiseng** (South Africa) – Chair of certain sessions

ADOPTION

- **The Hon. Lady Justice Teresia Mumbua-Matheka** (Kenya) [on line] and **Ruth Juliet Nyambura Gachanja** (Kenya) – Intercountry Adoption in Kenya
- **Hilka Hollman** (Solicitor, Dawson Cornwall, England) – International Adoption
- **Berenice Dufau-Richet** (Alexandre Boiché & Associates, France) - International Adoption
- **Dr Tebogo Mabe** (Chief Director, Children’s Services, National Department of Social Development) – The Landscape of Intercountry Adoption in South Africa

- **Mavis Amonoo-Acquah** (Harcourt Chambers, England and Wales) – Parentage, Adoption (both Domestic and Intercountry) in England and Wales.

B. HAGUE SESSION - CLOSED - PARALLEL SESSION

PROGRAMME AVAILABLE ONLY TO ATTENDEES

There are parallel sessions on Thursday and Friday

Thursday, 27 March 2025 and Friday, 28 March 2025

Welcome and Opening of Conference:-

1. **The Honourable Chief Justice M M I Maya** (Constitutional Court of South Africa), introduced by **The Honourable Madam Judge President N P Mabindla-Boqwana** (Western Cape)
2. **The Honourable Chief Justice M M I Maya** (Constitutional Court of South Africa)
3. **The Honourable Deputy Minister of Women, Youth and Persons with Disabilities, Ms Mmapaseka Steve Letsike, MP**
4. **The Dean of the Law Faculty of UWC Professor Jacques de Ville**

Proprietary Claims:-

Sessions

- **Prof Julia Sloth-Nielsen** – De Facto partnerships and a single marriage statute
DHA Green Paper: Marriage & Cohabitation – **Modhiehi Mofokeng** [TBC]
and **Diketso D. Ratau** [TBC]
- **Prof Wesahl Domingo** (SALRC) – A single marriage statute
- **Prof Nicholas Hopkins** (England & Wales Law Commission report; University of Reading) – The current project on reforming financial remedies in cases of divorce
- **Prof Claire Fenton-Glynn** (Monash University Australia - England & Australia) – Domestic Partnerships in Australia
- **Adv Stuart Humphrey** (KZN) – Rule 43(6) and the meaning of material change in circumstances in light of the Constitutional Court judgment in S v S
- **The Hon. Justice Daniel Thulare** – Recent Developments SALRC Issue Paper and Developments re: maintenance
- **The Hon. Retired Judge Belinda van Heerden** (SCA) & **Prof Brigitte Clark** (UKZN) – The Constitutionality of the *dum casta* clause
- **Prof Clement Marumoagae** (University of Wits) – Pensions & the Two Pot System
- **Prof Helen Kruuse** (Rhodes University) and **Prof Lea Mwambene** (UWC) – Joint presentation – Beyond the Legal Debates: An African Legal Feminist Response to support victims of Ukuthwala in South Africa
- **Prof Muneer Abduroaf** (UWC)– Muslim Rights & Recent Developments
- **Madeleine Mendy**, UAE – Divorces & Custody issues in Dubai & Abu Dhabi

- **William Longrigg** (Charles Russell Speechlys, London; IAFL, London) - Update on property issues in England
- **Jaqueline Julyan** (Counsel, England & Wales & SA) – Proprietary Claims SA / UK
- **The Hon. Justice Fiona Mwale** (Malawi) – Malawi Divorce and the debate whether no fault divorce is the way forward
- **Rachael Kelsey** (SKO Family Law, Scotland, President IAFL) – Developments in Family Law Matters

Panel session –

- Chair:- SA Lawyer [TBC]
- **Stephen Baker** (Baker and Partners, St Helier, Jersey) – Proprietary claims, Trusts & Asset Recovery
- **Marcus Dearle** (Solicitor, Miles Preston, London) – Divorce & Trusts
- **Suzanne Todd** (Solicitor, Withers, England & Wales) – Asset Recovery Strategies & Proceedings
- **Stephen Page** (Page Provan, Australia) – Property Claims in Australia
- **Elize Loukas** (Loukas Law Firm, Boston, USA)

Thursday, 27 March 2025**PARENTAGE, CHILDREN & IDENTITY**

- **Laurence Bordier** (Child Identity Protection, Geneva) –
 - Preserving “family relations”: An essential feature of the child’s right to identity
 - Leveraging birth and marriage registration to prevent child marriage:- findings from a desk review of laws and policies in eleven countries in West and Central Africa
- **Ellen Alem** (UNICEF Gender Programme & Specialist, Nairobi) – Ending Child Marriage (on line)
- **Margaret Casey**, KC (Mills Lane Chambers, New Zealand, HCCH Parentage Committee) – Parentage [27/03]
- **Prof Claire Fenton-Glynn** (Monash University Australia, England & Australia) – Children’s rights – private law and parentage
- **Dr Dafni Lima** (Asst Prof Durham Law School, UK) - Multiple Parenthood
- **Prof Olga A Khazova** (Israel) – Identity, Family Relations and the UNCRC approach (on line)
- **Adv Pat Moodley** – South Africa’s forgotten children: Violence Against Children and AI in Family Law
- **Rachel Sloth-Nielsen** (Oxford doctoral student) – The emergence of the child’s right to preservation of cultural identity
- **Diahann Gordon-Harrison** (Jamaica, National Rapporteur on Trafficking Persons; Children’s Advocate, Executive Councillor - ISPCAN) – Access to Justice for Children – the Jamaican Model
- **Marco Poli** (University of Turin, Italy) – Child Custody (shared parenting)

Prof Julia Sloth-Nielsen panel: children without parental care

The Hon Comm. Anne Musiwa (Rapporteur for ACERWC: Special Rapporteur for Children Without Parental Care; SRCWPC in Africa; Member of Global Inter Parliamentary Union for Human Trafficking, Member of WG on Orphanage Trafficking) – Children without parental care

Aminul Islam (UNICEF’s Global Technical Lead on Care Reform, New York) – The implementation of the 2019 UNGA Resolution (on line)

Michelle Oliel (The Talsky Centre for Human Rights of Women and Children; Michigan State University College of Law) – Care Reform Work

Nadjma Yassari (Director, Swiss Institute of Comparative Law, Lausanne and Professor, University Hamburg) - How Parentless Children Are Placed in New Homes in Muslim Jurisdictions

Dr Tebogo Mabe (Chief Director, Children’s Services, National Department of Social Development)

Leana Goosen (Chief Director: Social Welfare and Restorative Services, Department of Social Welfare, Western Cape Government)

Friday, 28 March 2025

The Hon. Justice S Majiedt (Constitutional Court, South Africa) - The Essence of Ad Hoc Central Authority for the Republic of SA and Another v Koch N.O – Fulfilling the Objectives of the Hague Convention.

The Hon Lady Justice Teresia Mumbua-Matheka (Kenya) (on line)

The Hon Lady Justice Halcyon Yorke-Young (Trinidad & Tobago) – Domestic Violence: A Judicial Perspective on Intervention and Support

Prof / Dr Elvis Fokala (Programme Manager: Child's Right Unit Centre for Human Rights, University of Pretoria) – The changing face of voidable marriages in Africa

Samuel Munyuwiny (Kenya) – The Intersection between criminal cases involving children and family law issues based on the case law documented in the Kenya Reports and **Ms. Patricia Mundia** (Advocate, High Court Kenya, member NCAJ Standing Committee on the Administration of Justice for Children in Kenya, IAFL)

Dr Robert A Simon (forensic psychologist, USA) – Parent child contact problems, use and misuse of experts (including ethics for experts)

Ruth Juliet Nyambura Gachanja (Kenya) – Access to justice for children in conflict with the law in Kenya: The maandamano effect

Karabo Ozah (Centre for Child Law, Pretoria) – Legal representation of children

Jens M. Scherpe (Aalborg University, Denmark and UWC) – Developing Family Law

Bronwyn Pithey (Women's Legal Centre) – Insights into the Developments of the Domestic Violence and Sexual Offences Acts

Barbara Connolly, KC (London) – Domestic Violence against women and children

Shamla Pather (Shamla Pather Attorneys, Umhlanga Rocks, KZN) – Parties to Family Law Matters – conduct, coercive control & financial abuse

Friday, 28 March 2025

ART

Undiga Emuekpere (Ôka'mara Law, Nigeria) – Surrogacy

The Hon Millie Grace Odhiambo (MP, Kenya) – Bill on Surrogacy before National Assembly, Kenya

Stephen Page (Page Provan, Australia) - ART

Meryl Rosenberg (Potomac, MD, USA) - ART

Prof Donrich Willem Thaldar (KZN) – Generic testing of gamete donors [Prof Thaldar will speak on the morning of 27/3/25 due to flight restraints]

Hilka Hollman (Dawson Cornwall, England and Wales) – Surrogacy and Private Law in England

Assoc. Prof Bonolo Dinokopila (University of Free State and Botswana)

Dr Zaina Mahmoud (Lecturer in Law, University of Liverpool; Co-Investigator Children's Voices in Surrogacy Law) – Children's Voices in Surrogacy Law [speak on 27/3/25]

Jemma Dally (Goodman Ray Solicitors, London)

Adv Morgan Courtenay - Whose Embryo Is It Anyway? A South African Perspective of Ownership and Transferability

Friday, 28 March 2025

ADR

Margaret Akpoyoware (Nero's Practice, Nigeria) – ADR (online)

Prof Debbie Collier-Reed (University of Western Cape) – Project 94 Discussion Paper on a Generic Mediation Act for South Africa [she has commitment 08h30 – 10h15]

Adriana de Ruiter (Tulip Abogados, Spain) – Gender violence and mediation – the Spanish system

Suzanne Kingston (IFLA) – Out of Court dispute resolution – Practical Top Tips and Current Considerations

The Honourable Ms Justice Nuala Jackson (Judge of the High Court of Ireland, ACEDR trained mediator) (on line)

Dr Robert A Simon (forensic psychologist, USA) – Iatrogenesis in family law practice

Astrid Martalas (psychologist, mediator and PC, South Africa) & **Craig Schneider** (lawyer and mediator, South Africa) – ADR in SA

Zenobia du Toit (Miller du Toit Cloete Inc) – Arbitration

Wendy van der Stroom-Willemsen (SmeetsGijbels – Rotterdam and Amsterdam) – Solo Parallel Parenthood in the NL & Belgium

Marjolijn Schram (Gezinsadvocaat, Netherlands) – The Gezinsadvocaat in the Netherlands

Colin Geoffreys (Attorney/mediator, Cape Town)

Prof Leentjie de Jong, (SALRC, mediator) – chair