

PROGRAMME

This programme is subject to change

Sunday 27 September 2009	
12:00-19:30	Registration
9.30 -16.30	Council Meeting (by invitation only) <i>HALL E</i>
10.00 – 13.00	Chief Justices Meeting (by invitation only) <i>HALL F</i>
13.00- 14.30	Council/Chief Justices Lunch (by invitation only) <i>HALL D</i>
17.00 – 17.30	Brief meeting of contributors. All chairs, panellists and speakers for Part One of the Conference are invited to attend <i>HALL E</i>
18.00	Delegates/ Accompanying Persons and VIPs Assemble for Opening <i>HALL A</i>
18.30-20.00	OPENING CEREMONY
	Procession of the Flags – Musical Interlude
	Welcome and Opening Address
20.00	<i>GRACE BAY RESTAURANT</i>
	Welcome Reception
Monday 28 September 2009	
<u>PART ONE</u>	
THE PROMOTION AND PROTECTION OF JUDICIAL INDEPENDENCE	
<i>Delegates are asked to be in their seats in good time for the beginning of each session</i>	
9:30 -10.30	<p><i>Session 1</i> <i>HALL A</i></p> <p style="text-align: center;">OPENING KEYNOTE ADDRESS:</p> <p>Chair: His Hon.Chief Justice Richard Banda (Swaziland) Keynote Speaker: His Hon. Justice Markandey Katju (India)</p>
10.30 – 11.15	<i>MAIN BAR</i>
	Break
11.15 – 12.45	<p><i>Session 2</i></p> <p style="text-align: center;">DISCUSSION PANELS</p> <p style="text-align: center;">Aspects of the Commonwealth (Latimer House) Principles on the Accountability of and the Relationship between The Three Branches of Government and the consequent Edinburgh Plan of Action <i>Delegates are invited to attend and participate in any of the forthcoming Sessions</i></p> <p>PANEL 1 A: CURRENT THREATS TO JUDICIAL INDEPENDENCE <i>HALL B</i></p> <p>Chair: Justice Douglas Cunningham (Canada)</p> <p>Panellists Judge Adesuyi Olateru- Olagbegi (Nigeria) Mr John Howson J.P (England & Wales) Mr J Christie Liebenberg (Namibia) Judge Cynthia Pretorius (South Africa)</p>

	<p>PANEL 1B: JUDICIAL ACCOUNTABILITY, INCLUDING THE DEVELOPMENT, PROMOTION, AND IMPLEMENTATION OF CODES OF CONDUCT FOR JUDICIAL OFFICERS <i>HALL C</i></p> <p>Chair: The Rt. Hon. Lord Glennie (Scotland)</p> <p>Panellists: Judge John Vertes (Canada) Deemster Mike Kerruish (Isle of Man) Judge Esau Chulu (Zambia) Justice Leona Theron (South Africa)</p> <p>PANEL 1C: THE ROLE OF THE COURTS IN PROMOTING HUMAN RIGHTS AND ECONOMIC DEVELOPMENT <i>HALL D</i></p> <p>Chair: Justice CJ Honyenuga (Ghana)</p> <p>Panellists: Mr. Zanekhaya Gxarisa (South Africa) Justice Ian Kawally (Bermuda) Justice William Young (New Zealand) Judge Charles Wilson Adjei (Ghana)</p> <p>PANEL 1D: RELATIONSHIPS BETWEEN THE JUDICIARY AND THE EXECUTIVE <i>HALL E</i></p> <p>Chair: Justice Mario Mangaze (Mozambique)</p> <p>Panellists: District Judge Tim Workman (England and Wales) Justice Charles Mkandawire (SADC Tribunal) Mr Olusupo Shasore SAN (Nigeria) Mr Mark Guthrie (Commonwealth Secretariat)</p>												
12.45- 13.45	<p style="text-align: right;"><i>GRACE BAY RESTAURANT</i></p> <p>Lunch</p>												
13.45 – 14.45	<p><i>Session 3</i> <i>HALL A</i></p> <p style="text-align: center;">SECOND KEYNOTE ADDRESS</p> <p>Chair: Judge James Ogebe (Nigeria)</p> <p>Speaker: His Hon. Chief Justice Tan Sri Zaki Tun Azmi (Malaysia)</p> <p style="text-align: center;">“ISSUES ON RECRUITMENT, CONDITIONS OF WORK AND SECURITY OF THE JUDICIAL OFFICER - THE MALAYSIAN EXPERIENCE”</p>												
14.45-15.30	<p style="text-align: right;"><i>MAIN BAR</i></p> <p>Break</p>												
15.30- 17.00	<p style="text-align: center;">C.M.J.A. Regional meetings</p> <p style="text-align: center;">All delegates are asked to attend the relevant regional meeting for their jurisdiction.</p>												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Atlantic and Mediterranean</td> <td style="text-align: center;"><i>HALL A</i></td> <td style="text-align: center;">Caribbean</td> <td style="text-align: center;"><i>HALL B</i></td> </tr> <tr> <td style="text-align: center;">East Central and Southern Africa</td> <td style="text-align: center;"><i>HALL E</i></td> <td style="text-align: center;">Indian Ocean</td> <td style="text-align: center;"><i>HALL F</i></td> </tr> <tr> <td style="text-align: center;">Pacific</td> <td style="text-align: center;"><i>HALL D</i></td> <td style="text-align: center;">West Africa</td> <td style="text-align: center;"><i>HALL C</i></td> </tr> </table>	Atlantic and Mediterranean	<i>HALL A</i>	Caribbean	<i>HALL B</i>	East Central and Southern Africa	<i>HALL E</i>	Indian Ocean	<i>HALL F</i>	Pacific	<i>HALL D</i>	West Africa	<i>HALL C</i>
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19.30 – 22.00	<p style="text-align: right;"><i>GRACE BAY RESTAURANT</i></p> <p>Dinner</p>
<p>Tuesday 29 September 2009</p> <p><i>Delegates are asked to be in their seats in good time for the beginning of each session</i></p>	
9.30 – 10.30	<p><i>Session 4</i> <i>HALL A</i></p> <p style="text-align: center;">THIRD KEYNOTE ADDRESS</p> <p>Chair: Sir Philip Bailhache (Jersey)</p> <p>Speaker: The Hon. Chief Justice Sir David Simmons (Barbados)</p> <p>“JUDICIAL INDEPENDENCE AND ACCOUNTABILITY”</p>
10.30 - 11.00	<p>Break <i>MAIN BAR</i></p>
11.00- 12.30	<p><i>Session 5</i></p> <p style="text-align: center;">SECOND PANEL DISCUSSION</p> <p style="text-align: center;"><i>Delegates are invited to attend and participate in any of the forthcoming Sessions. Panel Chairs and contributors are asked to note the opportunity to raise specific items of interest arising from the panels at the afternoon Plenary Session.</i></p> <p>PANEL 2A: LAW MAKING AND JUDICIAL ACTIVISM. TO INCLUDE THE ROLE OF THE JUDGE IN THE DEVELOPMENT AND PROMOTION OF CRIMINAL JUSTICE POLICIES <i>HALL B</i></p> <p>Chair: Judge Jeffrey Spender (Australia)</p> <p>Panellists: Chief Magistrate Teresa Shija (Nigeria) Mr Trevor Black (Australia) Mr Dean Cameron (Canada)</p> <p>PANEL 2B: THE JUDICIARY, PARLIAMENT, AND THE PRESS <i>HALL C</i></p> <p>Chair: Mr Robert Henney (South Africa)</p> <p>Panellists: Mr Steven Maingot J.P (England & Wales) Mr. John Lowndes (Australia)</p> <p>PANEL 2C: ISSUES ON THE RECRUITMENT, CONDITIONS OF WORK, AND SECURITY OF THE JUDICIAL OFFICERS <i>HALL D</i></p> <p>Chair: Chief Justice Mahapela Lehohla (Lesotho)</p> <p>Panellists: Mr Graham Travers (South Africa) Judge David Rennie (England and Wales) Justice Bernard Luanda (Tanzania) Justice Zainun Binti Ali (Malaysia)</p> <p>Panel 2D: ACHIEVING A DIVERSE JUDICIARY: AN AIM OR AN ILLUSION. <i>HALL E</i></p> <p>Chair: His Hon. Chief Justice Ernest Sakala (Zambia)</p> <p>Panellists: Judge Clive Plasket (South Africa) Justice John Evans (Canada)</p>

	Justice Anthony Ross (Eastern Caribbean Supreme Court) A Delegate from the Solomon Islands						
12.30 – 14.00	Lunch <i>GRACE BAY RESTAURANT</i>						
14.00 – 15.00	<i>Session 6</i> <i>HALL A</i> FOURTH KEYNOTE ADDRESS Chair: Her Hon. Chief Justice Zaila McCalla (Jamaica) Speaker: Judge Mary-Beth Sharp (New Zealand) “JUDICIAL INDEPENDENCE AND THE ICC”						
15.00-15.30	<i>HALL A</i> PLENARY DISCUSSIONS Brief presentations from the panel chairs (or their nominees) from Session 5 on specific issues of interest that may have arisen during their panel discussions. Chair: His Hon. Judge Keith Hollis (England and Wales)						
15.30- 16.00	Break <i>MAIN BAR</i>						
16.00-17.30	<i>Session 7</i> SPECIALIST MEETINGS <i>Delegates are invited to attend and participate in the session which may be of interest or appropriate to their jurisdiction</i>						
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19.30-22.00	Dinner <i>GRACE BAY RESTAURANT</i>						
Wednesday 30 September 2009 <i>Delegates are asked to be in their seats in good time for the beginning of each session</i>							
9.30	<i>HALL A</i> GENERAL ASSEMBLY OF THE CMJA						
10.45	<i>Conference Photo</i>						
12.30 -14.00	Lunch <i>GRACE BAY RESTAURANT</i>						
14.00-18.00	Conference “Half Day Tours”						
20.00	Barbeque on the Beach						

Thursday 1 October 2009

Delegates are asked to be in their seats in good time for the beginning of each session

PART TWO A COLLOQUIUM ON THE LAW AND THE CHILD (IN CONJUNCTION WITH UNICEF)

Aims and Objectives

1. To promote greater awareness amongst the magistrates & judges of the Commonwealth, of international treaties and law relating to the rights of children, and to consider the practical application of that body of law;
2. To enhance networking within the Commonwealth Magistrates' and Judges' Association on aspects of the rights of the child;
3. To develop and strengthen partnership between UNICEF and the CMJA on children's rights.

8.00-8.30

Brief meeting of Contributors. All Chairs, panellists and speakers for Part Two of the Conference are invited to attend

HALL E

9.00 – 10.15

Session 1

HALL A

OPENING REMARKS

His Hon. Chief Justice Gordon Ward (Turks & Caicos Islands)

Mr Saad Houry, Deputy Executive Director UNICEF

KEYNOTE ADDRESS

Chair: His Hon. Chief Justice Gordon Ward (Turks and Caicos Islands)

Speaker: The Rt. Hon. Sir Mark Potter, President of the Family Division, High Court (England and Wales)

10.15-10.45

Break

MAIN BAR

10.45 – 12.00

Session 2

PANEL DISCUSSIONS

Delegates are invited to attend and participate in any of the following sessions

PANEL A1

HALL B

JUVENILE JUSTICE:

The justice for children legal framework, including consideration of the Convention on the Rights of the Child as the overall binding document, the Riyadh guidelines on the prevention of delinquency, the Beijing rules on the administration of juvenile justice and the Tokyo rule on non-custodial measures.

Objectives:

- To identify the difficulties and problems in utilizing the guiding instruments at national level;
- To share good examples on how mentioned guiding instruments have been integrated in the Juvenile Justice system at national level;
- To identify strategies to incorporate the guiding instruments in the justice system at national level.

Chair: Miss Susan Bissell (UNICEF)

Panellists: Judge John Strettel (New Zealand)
His Hon. Chief Justice Mahapela Lehohla (Lesotho)
Her Worship Abena Adjin-Doku (Ghana)
His Hon. Justice HPG Waweru (Kenya)

PANEL A2

HALL C

INTERNATIONAL AND REGIONAL TREATIES

The applicability and availability of the Convention on the Rights of the Child, the Optional Protocols and other relevant International Treaties relating to children as they relate to the day to day work of Courts in the Commonwealth.

Objectives:

- To identify the difficulties and problems in utilizing the international and regional treaties at national level;
- To share good examples of how particular instruments have been used in court;
- To explore ways on how above mentioned international legal instruments can be used in court cases and other work of the court

Chair: Hon. Madame Justice Yorke-Soo Hon (Trinidad and Tobago)

Panellists: Judge Imman Ali (Bangladesh).
Ms Maryam Ahmed Sabo (Nigeria)

PANEL A3

HALL D

PROTECTION OF CHILDREN BY LAW

The United Nations Guidelines on justice in matters involving child victims and witnesses of crime. The International Labour Organisation Conventions. Issues of child trafficking, to include the role of the courts in the application of international treaties relating to child trafficking

Objectives:

- To identify problems and gaps in the existing legal framework (both binding and non-binding instruments) to protect children;
- To share good examples of particular national legislation to protect children;
- To identify strategies to enhance the protection of children by law.

Chair: Justice Leona Theron (South Africa)

Panellists: Her Hon Mrs Justice Norma Wade Miller (Bermuda)
Professor Rebecca MM Wallace (Scotland)
A Delegate from Sierra Leone

12.00 – 12.45

Session 3

HALL A

KEYNOTE ADDRESS

on problems faced on the implementation of the existing international legal framework and possible solutions to those problems. To include consideration of the production of a Child-friendly version of the UN Guidelines, and a training manual on juvenile justice.

Objectives:

- To identify problems and gaps in the implementation of the international legal framework (binding and non-binding instruments);
- To identify strategies and tools for the protection and dealing with children in contact with the law.

	<p>Chair: His Hon. Justice Charles Mkandawire (SADC Tribunal)</p> <p>Speaker: Mr Saad Houry, Deputy Executive Director UNICEF</p>	
12.45-14.00	Lunch	GRACE BAY RESTAURANT
14.00-15.15	<p><i>Session 4</i></p> <p style="text-align: center;">CHILD PARTICIPATION</p> <p>Chair: His Hon. Chief Justice Augustino Ramadhani (Tanzania)</p> <p>Panellists: Ms Gerison Lansdown, expert on Child Participation Mrs Justice Virginia Schuler (Canada)</p>	HALL A
15.15-15.45	Break	MAIN BAR
15.45-16.45	<p><i>Session 5</i></p> <p style="text-align: center;">PLENARY PANEL DISCUSSION</p> <p>on the role of the law and the courts in preventing the abuse of children. To include</p> <ul style="list-style-type: none"> - The consideration of children as <u>victims and witnesses</u>; - <u>Other legal issues affecting children such as custody, guardianship, care and protection, land, housing and property issues for orphaned and returning children</u> <p>Objectives:</p> <ul style="list-style-type: none"> • To explore ways on how the court can be involved in the prevention of child abuse; • To identify strategies and tools needed for the prevention of child abuse by the court (and law) <p>Chair: Mr Justice John Evans (Canada)</p> <p>Panellists: Mrs Karen Prescott (Gibraltar) His Hon. Judge David Pearl (England and Wales) Mr N Nithiyantham Al Murugesu (Malaysia) Senior Magistrate Jai Naraine (Trinidad and Tobago)</p>	HALL A
19.30- 22.00	Dinner	GRACE BAY RESTAURANT
<p>Friday 15 September 2006</p> <p><i>Delegates are asked to be in their seats in good time for the beginning of each session</i></p>		
9.30-10.30	<p><i>Session 6</i></p> <p style="text-align: center;">KEYNOTE ADDRESS</p> <p style="text-align: center;">Children In Armed Conflict And The Effect Of Violence On Children</p> <p>Chair: Her Hon. Chief Justice Sian Elias (New Zealand)</p> <p>Speaker : Justice Renata Winter, President of the International Association of Juvenile and Family Judges' and Magistrates' (Sierra Leone/Austria)</p>	HALL A
10.30-11.15	Break	MAIN BAR

11.15-12.45

Session 7

DISCUSSION GROUPS ON THE VOICE OF THE CHILD

Delegates are invited to attend and participate in one of the following discussion groups. During the course of discussions delegates are asked to consider the questions attached to this programme as Annex A.

Discussion leaders are asked to be prepared to present a brief summary of the discussions and replies in Session 9.

GROUP B1

HALL B

Topics:

- **The status and representation of children in court proceedings**
- **Issues arising for children in minority or disadvantaged communities**

Leader : District Judge Robert Zara (England and Wales)

Facilitators: Mr John Keitirima (Uganda)
Mr Justice Kenneth Benjamin (Eastern Caribbean Supreme Court)
Ms Caroline Hamilton (England and Wales)

GROUP B2

HALL C

Topics:

- **Child labour and exploitation**
- **Slavery and the trading of children**

Leader : District Judge Shamim Qureshi (England and Wales)

Facilitators: Senior Immigration Judge Catriona Jarvis (England and Wales)
A Delegate from Tanzania
A Delegate from Mozambique

GROUP B3

HALL D

Topics

- **Restorative justice and the child**
- **The involvement of the courts in crime prevention programmes**

Leader : Justice William Young (New Zealand)

Facilitators: Mrs.Sybil Roach-Tennant J.P (England & Wales)
His Hon. Justice Ronnie Boodoosingh (Trinidad and Tobago)
Ms Emma Garo (Solomon Islands)

GROUP B4

HALL E

Topics

- **The sexual abuse of children**
- **Best practice for child witnesses who have been victims of violence**

Leader : Sheriff Robert Dickson (Scotland)

Facilitators: Her Hon. Justice Birnie Stephenson-Brooks (Anguilla)
Mrs Justice Virginia Schuler (Canada)
Mrs Bridget Shaw (Jersey)
His Worship David Batema (Uganda)

12.45-14.00	Lunch	<i>GRACE BAY RESTAURANT</i>
14.00 – 15.00	<i>Session 8</i>	<i>HALL A</i>
	Children In Political And Military Conflict	
	<p>Children in political conflict: child rights violations and the exacerbations of violations in times of conflict</p> <p>Objectives:</p> <ul style="list-style-type: none"> • To identify problems and gaps in the existing legal framework (binding and non-binding instruments) to protect children in Armed Conflict at a national level • To share good examples on how children in political conflict have been protected and dealt with in the justice system • To identify strategies to enhance the protection of children in armed conflict in the justice system at national level 	
	Chair	His Hon. Justice Paul Evande Mwambo (Cameroon)
	Panellists	Mr Syd Bolton (England and Wales) Justice Sylvester Mainga (Namibia) Mr John Numapo (Papua New Guinea) Judge Colin Greasley (England and Wales) <i>Mrs Emily Ominde (Kenya)</i>
15.00-15.30	Break	<i>MAIN BAR</i>
15.30 -16.30		<i>HALL A</i>
	PLENARY SESSION	
	<p>Discussion leaders from Session 7 to give brief presentations on their group's replies to the discussion questions, to be followed by consideration of a Commonwealth set of protocols and closing resolutions for future cooperation"</p>	
	Leader	His Hon. Judge Keith Hollis
	Panellists	District Judge Shamim Qureshi (England and Wales) Mr Tom Olsen (UNICEF) Mr Mark Guthrie (Commonwealth Secretariat)
16.30 – 17.30		<i>HALL A</i>
	Closing Ceremony	
		<i>POOL AREA</i>
19.30	GALA DINNER	