



## THE SECOND CHILDREN'S ISSUES FORUM

Monday, 27 August 2012, 9:00 am – 6:25 pm  
Tuesday, 28 August 2012, 9:00 am – 5:15 pm  
Rayson Huang Theatre, The University of Hong Kong

### CONFERENCE PROGRAMME

The Second Children's Issues Forum on 27-28 August 2012 follows on from the inaugural *Hong Kong Children's Issues Forum: The Resolution of Disputes Relating to Children* held in 2009. This two day international multi-disciplinary conference brings together members of the local and overseas judiciary and legal profession, government officials from Hong Kong and overseas, health care and child protection professionals, mediators, and community and non-profit organizations to consider important issues relating to the welfare, well-being and safety of Hong Kong children. Day 1 of the Forum considers the paradigm shift from custody, care and control to shared parenting, the development of specialized children's dispute resolution procedures, and giving children a voice in the dispute resolution process, to include child inclusive mediation and peer based mediation. Day 2 focuses on safeguarding the mental and physical well-being of children, preventing sex trafficking and the exploitation of child labor, and providing effective child protection services. The important work done by specialized child advocates and the need for state appointed independent Children's Commissioners will also be discussed.

#### **DAY 1 - MONDAY, AUGUST 27, 2012**

- 9:00 – 9:30 am      **Registration**
- 9:30 – 9:35 am      **Welcome Address:** Mr. Rimsky Yuen, SC, JP, Secretary for Justice, Department of Justice, Hong Kong
- 9:35 – 9:40 am      **Opening Address:** Her Honour Judge Bebe Chu, Principal Family Court Judge, Hong Kong

Forum Organising Committee: Ms Winnie Chow    Mr Dennis Ho    Ms Katherine Lynch    Ms Anne Scully-Hill  
Liaison: c/o Ms Jeannie Cho, Faculty of Law, 10/F, Centennial Campus, The University of Hong Kong, Pokfulam Road, Hong Kong  
Email: [jjcho@hku.hk](mailto:jjcho@hku.hk)      Tel: (852) 3917 5939 (Ms Phelane Tsang)

9:40 – 9:45 am **Keynote Address:** Mr. Michael J. Hartmann GBS,  
Representative of the Asia-Pacific Regional Office of the  
Hague Conference, Hong Kong

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**PANEL 1: A PARADIGM SHIFT FROM CUSTODY, CARE & CONTROL TO PARENTAL RESPONSIBILITY**

In 1989, the United Nations General Assembly unanimously approved the Convention on the Rights of the Child (“UNCRC”) which entered into force on 2 September 1990. The UNCRC is considered as the most highly ratified human rights instrument in international law. Several jurisdictions have introduced changes to their laws on dealing with children when their parents separate or divorce from one another. They have abandoned the concepts of custody and care and control and replaced it with “parental responsibility.” Distinguished speakers from various jurisdictions will share their views on such change and the reasons for not changing.

9:45 – 10:45 am **PANEL A**

**Moderator:** Her Honour Judge Bebe Chu, Principal Family Court Judge, Hong Kong

The Honourable Chief Justice Diana Bryant of Australia  
**Topic:** *The Australian Experience*

The Honourable Mr. Justice Andrew Moylan, High Court, Family Division, England and Wales  
**Topic:** *The English Experience*

Ms. Foo Tuat Yien, Senior District Judge in charge of the Family and Juvenile Justice Division, Subordinate Courts, Singapore  
**Topic:** *The Singaporean Experience*

Her Honour Judge Sharon D. Melloy, Family Court, Hong Kong  
**Topic:** *Custody Orders in Hong Kong: Fact and Fiction*

10:45 – 11:00 am **Question & Answer Session**

11:00 – 11:15 am **Refreshment Break**

11:15 – 12:15 pm **PANEL B**

**Moderator:** Judge (Retired) Philip Marcus, Jerusalem Family Court, Israel

The Honourable Judge Peter Boshier of New Zealand

**Topic:** *The New Zealand Experience*

Judge He Xiaoyi, Civil Division, Zhuhai Intermediate People's Court, Guangdong Province, China

**Topic:** *The Chinese Experience*

Professor Nigel Lowe, Cardiff Law School, Cardiff University, United Kingdom

**Topic:** *Working Towards a European Concept of Parenthood and Parental Responsibility*

12:15 – 12:30 pm **Question & Answer Session**

12:30 – 2:00 pm **Lunch Break**

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## **PANEL 2: CHILDREN'S DISPUTE RESOLUTION**

This panel will look into the use of alternative dispute resolution introduced in different jurisdictions when dealing with issues relating to children. Distinguished speakers will comment on various dispute resolution processes, potential improvements and the development of specialized children's dispute resolution procedures within the judicial system.

2:00 – 3:25 pm **PANEL A**

**Moderator:** The Honourable Madam Justice Robyn M. Diamond, Court of Queen's Bench, Family Division, Manitoba, Canada

Mr. Michael J. Hartmann GBS, Representative of the Asia-Pacific Regional Office of the Hague Conference, Hong Kong

**Topic:** *The Hong Kong Experience*

The Right Honourable Lord Justice Thorpe, Head of International Family Justice for England and Wales

**Topic:** *The English Experience*

Judge (Retired) Philip Marcus, Jerusalem Family Court,  
Israel

**Topic:** *The Israeli Experience*

Justice Tassaduq Hussain Jillani, Supreme Court of  
Pakistan, Islamabad

**Topic:** *The Pakistani Experience*

Professor Patrick Parkinson, University of Sydney, Australia

**Topic:** *The Australian Experience*

The Honourable Madam Justice Robyn M. Diamond, Court  
of Queen's Bench, Family Division, Manitoba, Canada

**Topic:** *Experiences as a Canadian Unified Family Court  
Judge in Judicially Assisted Dispute Resolutions*

3:25 – 3:40 pm

**Question & Answer Session**

3:40 – 4:40 pm

**PANEL B**

**Moderator:** Professor Carole J. Petersen, Director,  
Matsunaga Institute for Peace, University of Hawaii at  
Manoa, William S. Richardson School of Law, Hawaii

Professor M. Jerry McHale, Faculty of Law, University of  
Victoria, Canada

**Topic:** *The Canadian Experience*

Professor Mark Henaghan, University of Otago, New  
Zealand

**Topic:** *The New Zealand Experience*

Professor Linda Silberman, New York University School of  
Law, United States

**Topic:** *The U.S. Experience*

Ms. Mikiko Otani, Attorney, Japan

**Topic:** *Paradigm Shift and Child Dispute Resolution in  
Japan*

4:40 – 4:55 pm

**Question & Answer Session**

4:55 – 5:10 pm

**Refreshment Break**

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### **PANEL 3: GIVING CHILDREN A VOICE**

This panel aims to focus on one of the main, but often neglected, stakeholders in most family disputes, namely the children. In particular the Panel will seek to discuss how best to ensure that children are properly involved and heard in the dispute process. It is hoped that the practical issues surrounding giving children a voice in the dispute process can be explored, with the aim of putting in place an appropriate framework which would be suitable to the needs of children in Hong Kong.

5:10 – 6:10 pm

**Moderator:** Dr. Lynette Levy Bandeira, Ph.D., Licensed Clinical Psychologist, Hong Kong

Ms. Shanna Quinn, Barrister-at-Law, Australia

**Topic:** *Child Inclusive Mediation*

Ms. Amarantha Yip, Head of Service, Hong Kong Family Welfare Society, Hong Kong

**Topic:** *The Development of Peer Mediation in Hong Kong*

Ms. Po Yan Cheng and a representative(s) from Kids' Dream, Hong Kong

**Topic:** *Hearing Children's Voices Within Dispute Resolution in Hong Kong: The Hong Kong Perspective*

Ms. Linda Chew, Senior Clinical Psychologist, Clinical Psychology Unit 5, Social Welfare Department, Hong Kong

**Topic:** *Did I Hear You Right? - The Intricacies of Hearing from Children*

6:10 – 6:25 pm

**Question & Answer Session**

6:25 pm

**Closing Remarks**

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## DAY 2 - TUESDAY, AUGUST 28, 2012

9:00 – 9:30 am      **Registration**

9:30 am              **Welcome Remarks**

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### **PANEL 4: SAFEGUARDING CHILDREN**

This Panel will address child abuse both within the family, the community and in the context of the child and sex trafficking industry. The Panel will review: the nature and extent of abuse experienced by children, including physical, mental and sexual abuse; the domestic and international perspectives of such abuse; and the steps that might be taken to understand and help children who have been subjected to abuse.

9:45 – 10:45 am      **PANEL A: MENTAL AND PHYSICAL CHILD ABUSE**

**Moderator:** The Honourable Judge Peter Boshier of New Zealand

Ms. Diane Swales, Regional Advisor, Child Protection, UNICEF, East Asia and the Pacific Regional Office, Bangkok

**Topic:** *Child Maltreatment: The Nature and Scale of Abuse and Long Term Consequences in East Asia and the Pacific Region*

Dr. Edward Ko Ling Chan, The University of Hong Kong, Department of Social Work & Social Administration, Hong Kong

**Topic:** *Prevalence of Child Physical and Psychological Abuse in Hong Kong: Implications to Prevention*

Dr. Susan Mistler, Board Licensed Psychologist, Hong Kong

**Topic:** *The Psychology and Treatment of Children Who Are Victims of Abuse*

Professor Nicholas C. Bala, Queen's University, Faculty of Law, Canada

**Topic:** *Emotional Abuse, Parental Alienation & High Conflict Separations: Legal Challenges*

10:45 – 11:00 am      **Question & Answer Session**

11:00 – 11:15 am      **Refreshment Break**

11:15 – 12:15 pm **PANEL B: CHILD/SEX TRAFFICKING AND EXPLOITATION OF CHILD LABOR**

**Moderator:** The Honourable Chief Justice Diana Bryant of Australia

Dr. Jessica Ho, Director, Against Child Abuse, Hong Kong  
**Topic:** *The Situation in Hong Kong (i.e., incidents of child sex trafficking, etc.)*

Justice Md. Abdul Matin, Appellate Division, Supreme Court of Bangladesh

**Topic:** *The Situation in Bangladesh*

Professor Carole J. Petersen, Director, Matsunaga Institute for Peace, University of Hawaii at Manoa, William S. Richardson School of Law, Hawaii

**Topic:** *Eradication of Sex Trafficking: The International Perspective*

12:15 – 12:30 pm **Question & Answer Session**

12:30 – 2:00 pm **Lunch Break**

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**PANEL 5: TOWARDS A BETTER FUTURE**

This panel will consider the need for effective protection of children through judicial processes and government services. The importance of child rights education will be discussed, along with the potential for development of child protection mediation in Hong Kong. The panel will also consider the important advocacy work done by the Children's Commissioners from Australia and Norway, with particular focus on the pressing need to establish a Children's Commissioner/Ombudsman in Hong Kong in the near future.

2:00 – 3:00 pm **PANEL A: EFFECTIVE CHILD PROTECTION**

**Moderator:** The Right Honourable Lord Justice Thorpe, Head of International Family Justice for England and Wales

Judge (Retired) Philip Marcus, Jerusalem Family Court, Israel

**Topic:** *The Israeli Approach to Protecting Vulnerable Children: Integrating Judicial and Social Work Perspectives*

Mrs. Chang Lam Sook-ye, Senior Social Work Officer,  
Family and Child Protective Services (Child Protection),  
Social Welfare Department, Hong Kong  
**Topic:** *Multi-Disciplinary Approach in Preventing and  
Handling Child Abuse in Hong Kong*

Professor Sharon Sutherland, The University of British  
Columbia, Faculty of Law, Canada  
**Topic:** *The Development of Child Protection Mediation in  
British Columbia: The Potential for Hong Kong*

Dr. Shirley Hung Suet-lin, Associate Professor, Hong Kong  
Baptist University Chair; Social Workers Registration Board  
(Hong Kong)  
**Topic:** *Protection of Children's Rights in Divorce*

3:00 – 3:15 pm **Question & Answer Session**

3:15 – 3:30 pm **Refreshment Break**

3:30 – 4:30 pm **PANEL B: CHILDREN'S COMMISSIONER/OMBUDSMAN  
IN HONG KONG: ADVOCACY AND EMPOWERMENT**

**Moderator:** Ms. Po Yan Cheng and a representative(s) from  
Kids' Dream, Hong Kong

Mr. Reidar Hjermann, Former Ombudsman for Children,  
Norway  
**Topic:** *The Work of the Children's Ombudsman in Norway*

Mr. Alasdair Roy, Children and Young People  
Commissioner, Australian Capital Territory, Australia  
**Topic:** *The Work of the Children and Young People's  
Commissioner in Australia*

Ms. Billy Wong, Executive Secretary of the Hong Kong  
Committee on Children's Rights and Coordinator of the  
Alliance for Children's Commission, Hong Kong  
**Topic:** *The Need For a Children's Commissioner in Hong  
Kong*

4:30 – 4:45 pm **Question & Answer Session**

4:45 – 5:00 pm **Closing Address:** Mr. Michael J. Hartmann GBS,  
Representative of the Asia-Pacific Regional Office of the  
Hague Conference, Hong Kong



5:00 pm

**Closing Remarks**

5:15 pm Onward

**Closing Drinks Reception**

**All Participants Are Welcome and Encouraged to Attend!**