

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

- **Justice Connie Mocumie** (ADJP, SCA) (SA, Hague Liaison Judge) – 1996 Hague Convention on Parental Responsibilities
- **Philippe Lortie** (First Secretary, HCCH) – Hague Conventions (on line)
- **Justice Fiona Mwale** (Malawi) – The cost implications for joining the Hague for a Non-Hague county like Malawi
- **Judge Martina Erb-Kluenemann** (Germany) - Hague Convention on the International Abduction of Children (on line)
- **Her Ladyship Justice Mwamba Chanda** (Family and Children’s Division, Zambia) – Implementing Hague Conventions
- **Judge** (England) – Domestic Violence in Hague Convention Abduction cases (on line) [TBC]
- **Adv Shirin Ebrahim** (Principal Family Advocate and Central Authority, WC) – Hague Convention on the Abduction of Children
- **Marjolijn Schram** (Netherlands) – The Role of the Family Advocate in the Netherlands (Gezinsadvocaat)
- **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) – Identity of children, relocation and international child abduction (on line)
- **Hon. Lady Justice Teresiah Mumbua-Matheka** (Kenya) [TBC]
- **Chief Family Advocate Thokoane Nthabiseng** (South Africa) – Chair of certain sessions

ADOPTION

- **Hilka Hollman** (Dawson Cornwall, England) – International Adoption
- **Berenice Dufau-Richet** (Alexandre Boiché & Associates, France) - International Adoption

- **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, UK) – Parentage, Adoption (both domestic and intercountry) in England and Wales

B. HAGUE SESSION

(TO BE ADVISED)

There are parallel sessions on Thursday and Friday

Thursday, 27 March 2025 and Friday, 28 March 2025

Opening of Conference:- **The Honourable Chief Justice MMI Maya** (Constitutional Court of South Africa)

Proprietary Claims:-

1. Sessions

- **Prof Helen Kruuse** (Rhodes University) – SALRC Review Paper Matrimonial Property – developments
- **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** (Wits University, SALRC) – A single marriage statute [TBC]
- **Adv Stuart Humphrey** (KZN) [TBC]
- **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** (England & Australia) – Domestic Partnerships in Australia
- **Justice Daniel Thulare** – Recent Developments SALRC Issue Paper and Developments re: maintenance
- **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 Lea Mwambene** (UWC) – Customary law in Africa [TBC]
- **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) -
- **Jaqueline Julyan** (England & Wales & SA) – Proprietary Claims SA / UK
- **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** (England & Wales) – Divorce & Trusts
- **Suzanne Todd** (Withers, England & Wales) – Asset Recovery Strategies & Proceedings

Stephen Page (Page Provan, Australia) – Property Claims in Australia [TBC]

Thursday, 27 March 2025

PARENTAGE, CHILDREN & IDENTITY

- **Laurence Bordier** (Child Identity Organisation, Geneva) – Child’s right to identity and family relations / leveraging birth and marriage certificates to prevent child marriages:- findings from a desk review of laws and policies in 10 West and Central African countries
- **Ellen Alem** (UNICEF Gender Programme & Specialist, Nairobi) – Ending Child Marriage (on line)
- **Margaret Casey**, KC (Mills Lane Chambers, New Zealand) – Parentage [27/03]
- **Dr Claire Fenton-Glynn** (Monash University 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)
- **Isabel Magaya** (Ethiopia, African Child Forum) – (on line)
- **Adv Pat Moodley** – South Africa’s forgotten children: VAC and Filicide
- **Rachel Sloth-Nielsen** (Oxford doctorate student) – The emergence of the child’s right to preservation of cultural identity
- **Diahann Gordon-Harrison** (Jamaica, National Rapporteur on Trafficking Persons; Executive Councillor ISPCAN) – Access to Justice for Children
- **Marco Poli** (University of Turin, Italy) – Child Custody (shared parenting)

Prof Julia Sloth-Nielsen panel: children without parental care

Hon Anne Musiwa (Rapporteur ACERWC: Special Rapporteur for Children Without Parental Care) – Children without parental care

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

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

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

Friday, 28 March 2025

The Hon. Justice S Majiedt - 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.

Hon. Lady Justice Teresiah Mumbua-Matheka (Kenya) [TBC]

Hon Lady Justice Halcyon Yorke-Young (Trinidad & Tobago)

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

Juliet Ruth Nyambura (Kenya) -

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

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 [TBC]

Friday, 28 March 2025

ART

Adv Shirin Ebrahim (Principal Family Advocate, WC) – Surrogacy FA trends

Undiga Emuekpere (Nigeria) – Surrogacy

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

Hon Sarah Opendi (MP, Uganda) - Surrogacy

Stephen Page (Page Provan, Australia) - ART

Meryl Rosenberg (Potomac, MD) - 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) – Surrogacy and Private Law in England

Bonolo Dinokopila (Botswana) [TBC]

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]

Nadjwa Yassari [TBC]

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

Friday, 28 March 2025

ADR

Margaret Akpoyoware (Nigeria) - ADR

Prof Debbie Collier-Reed (University of Western Cape) – Project 94 Discussion Paper on a Generic Mediation Act for South Africa

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

Adv Shirin Ebrahim (Principal Family Advocate, WC) – Children in the context of mediation

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)

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

Zenobia du Toit (MDTC, CT) – Arbitration

Wendy van der Stroom-Willemsen (SmeetsGijbels – Rotterdam and Amsterdam) – Domestic violence & mediation [TBC]

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