



# CIVIL JUSTICE REFORM – WHAT HAS IT ACHIEVED?

15-16 APRIL 2010

CONRAD HOTEL  
ADMIRALTY, HONG KONG

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The University of Hong Kong and University College London will co-host a Conference on Civil Justice Reform as part of the University of Hong Kong Faculty of Law's 40th Anniversary celebrations. The conference will look at civil justice reforms in Hong Kong, England, Australia and Canada, assess their effectiveness and consider whether any further changes should be made.

Confirmed Speakers to date include:

- The Honourable Mr. Justice Li, GBM
  - Mr. Wong Yan Lung, SC, JP
  - The Rt Honourable Lord Neuberger of Abbotsbury
  - The Honourable Mr. Justice Ma
  - The Rt Honourable Lord Justice Jackson
  - The Honourable Justice Peter McClellan
- 
- The Honourable Mr. Justice Lam
  - The Honourable Mr. Justice Reyes
  - The Honourable Mr. Justice Fung
  - Ms Queeny Au-Yeung
  - Ms Marlene Ng
  - Professor Malcolm Grant
  - Professor Dame Hazel Genn, DBE, QC (Hon), FBA
- 
- Professor Michael Wilkinson
  - Ms Diana Lowe, QC
- 
- Mr. Rimsky Yuen, SC
  - Mr. Martin Rogers
- 
- Mr. Nigel Francis
  - Mr. Joseph Kwan
  - Mr. William Clarke

Chief Justice of the Court of Final Appeal, HK  
 Secretary for Justice, HK  
 The Master of the Rolls, England & Wales  
 Chief Judge of the High Court, HK  
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 Chief Judge at Common Law,  
 Supreme Court of New South Wales, Australia  
 Judge of the Court of First Instance of the High Court, HK  
 Judge of the Court of First Instance of the High Court, HK  
 Judge of the Court of First Instance of the High Court, HK  
 Registrar, High Court, HK  
 Master of the High Court, HK  
 President and Provost of University College London, UK  
 Dean of Laws, Professor of Socio-Legal Studies,  
 University College London, UK  
 Faculty of Law, The University of Hong Kong  
 Executive Director of the Canadian Forum on  
 Civil Justice, Canada  
 Barrister-at-Law, HK  
 Partner, Head of Litigation & Dispute Resolution in Asia,  
 Clifford Chance, HK  
 Partner, Minter Ellison, HK  
 Partner, Deacons, HK  
 Consultant, Brian Kong & Company, HK

## DAY ONE

15 APRIL 2010 (THU)

### Conference Themes

#### Overview of CJR (International & Comparative Perspectives)

- Overview of CJR –  
What Have Been the CJR's  
Achievements and Challenges?
- Litigation Process –  
Has the Litigation Process Become  
More Efficient?
- Access to Justice – Is There Now  
Easier Access to Justice?

#### ADR & Mediation

- How Effective Have These Been in  
the Context of CJR?

## PROGRAMME

- 09:00 am **Opening Speech**  
The Hon Chief Justice Andrew Li, GBM
- 09:15 am **Keynote Address – “Efficiency at All Costs  
- True or Bluff?”**  
The Hon Mr Justice Ma
- 10:00 am **“A New Approach to Civil Justice:  
from Woolf to Jackson”**  
The Rt Hon Lord Neuberger of Abbotsbury
- 10:45 am **Coffee Break**
- 11:00 am **“Making the New System Work in Practice”**  
Mr Martin Rogers
- 11:45 am **Q&A Session**  
Participants:  
• The Hon Mr Justice Ma  
• The Rt Hon Lord Neuberger of Abbotsbury  
• Mr Martin Rogers
- 12:15 pm **Lunch**
- 01:45 pm **“Understanding Public Needs: an Emerging  
Model of Access to Justice”**  
Ms Diana Lowe, QC
- 02:30 pm **“Civil Justice in Australia –  
Changes in the Trial Process”**  
The Hon Justice Peter McClellan
- 03:15 pm **Coffee Break**

- 03:30 pm “ADR and Civil Justice Reform: Experience and Issues for the Future”  
Prof Dame Hazel Genn, DBE, QC (Hon), FBA
- 04:15 pm “Mediation in the Context of CJR: The Role of the Judiciary”  
The Hon Mr Justice Lam
- 05:00 pm End of Day One

09:00 am “Some Thoughts on Fostering a Culture of Dispute Resolution and Cost-Effectiveness through Case Management”

The Hon Mr Justice Reyes

09:30 am **Panel Discussion<sup>1</sup>**

- Litigation Process in HK
  - Has the Litigation Process Become More Efficient?
- Case Management in HK
  - Has Case Management Been Effective?

Panelists:

The Hon Mr Justice Reyes

“Civil Justice Reform in Personal Injuries Litigation”

The Hon Mr Justice Fung

“Courts, Justice, Efficiency and Proportionality”

Master Marlene Ng

“Case Management: Jurisdiction & Orders”

Mr Rimsky Yuen, SC

“Has the Litigation Culture Changed?”

Mr Joseph Kwan

11:15 am **Coffee Break**

11:30 am “The Review of Civil Litigation Costs in England & Wales”

The Rt Hon Lord Justice Jackson

12:15 pm **Lunch**

01:45 pm “Observations on the Cost-Effectiveness of CJR and Sanctioned Offers”

Registrar Queeny Au-Yeung

02:30 pm **Panel Discussion<sup>2</sup>**

- Costs
  - Is Litigation Now More Affordable and/or Cost-Effective?
- Sanctioned Offers & Payments
  - Have These Been Effective?

Panelists:

The Rt Hon Lord Justice Jackson

Registrar Queeny Au-Yeung

“Litigation Costs – Defeat from the Jaws of Victory”

Mr Nigel Francis

“The Impact of Wasted Costs Orders on the Conduct of Civil Litigation”

Mr William Clarke

04:00 pm **Coffee Break**

04:15 pm **Concluding Comments** by Professor Michael Wilkinson

04:30 pm **Closing Address** by The Hon Wong Yan Lung, SC, JP

04:45 pm **Closing Speech** by Professor Malcolm Grant

05:00 pm **End of Day Two**

## DAY TWO

16 APRIL 2010 (FRI)

### Conference Themes

#### Litigation Process / Case Management (Hong Kong)

- Litigation Process in Hong Kong – Has the Litigation Process Become More Efficient?
- Case Management in Hong Kong – Has Case Management Been Effective?

#### Costs / Sanctioned Offers and Payments

- Costs – Is Litigation Now More Affordable and / or Cost-Effective?
- Sanctioned Offers and Payments – Have These Been Effective?

#### Notes:

1. The Hon Mr Justice Fung, Master Marlene Ng, Mr Joseph Kwan and Mr Rimsky Yuen, SC each makes a short 15-minute presentation, followed by general discussion between panel and floor.

2. Mr William Clarke and Mr Nigel Francis each makes a short 15-minute presentation, followed by general discussion between panel and floor.

## DETAILED INFORMATION

- Date:** 15-16 April 2010 (Thursday and Friday)  
**Time:** 9:00 am-5:00 pm  
**Venue:** Ballroom, Conrad Hotel, 88 Queensway, Hong Kong  
**CPD:** Day One – 6 CPD Points  
 Day Two – 6 CPD Points  
**Enquiries:** Ms Lydia Bute, Faculty of Law, The University of Hong Kong  
 Telephone: 2219 4323 / Fax: 2559 3543 / Email: lbute@hku.hk  
**Fees:** The fees include conference materials, tea breaks and lunch on the registered day(s). Please complete the registration form and arrange for a cheque with an appropriate amount to be made payable to “The University of Hong Kong” and send to Ms Lydia Bute “Faculty of Law, The University of Hong Kong, 4/F KK Leung Building, Pokfulam Road, Hong Kong”.

Category <sup>1</sup>	HKU / UCL Alumni Registration <sup>2</sup>		Standard Registration	
	Individual	Group <sup>3</sup>	Individual	Group <sup>3</sup>
Full Conference	HKD 4,000	HKD 3,800	HKD 5,000	HKD 4,750
One Day (15 / 16 April)	HKD 2,500	HKD 2,375	HKD 3,000	HKD 2,850

**Notes:**

- <sup>1</sup> Tickets are transferable from the same institution, please notify us the changes in advance.  
<sup>2</sup> To enjoy the special Alumni rate, please specify your year of graduation and course.  
<sup>3</sup> Five registrations or above can enjoy 5% discount, please send all application forms to us together.

## REGISTRATION FORM

Please return the form by fax (852) 2559 3543 or email lbute@hku.hk

Personal Details (please print in Block Letters)	
Title (Ms/Mr/Mrs): _____	Last Name: _____ First Name: _____
Institution: _____	Email Address: _____
Telephone Number: _____	Fax Number: _____
Address: _____	
Conference Participation (please tick “√” the appropriate box(es))	
I would like to attend:	
<input type="checkbox"/> Full Conference (15 & 16 April 2010)	<input type="checkbox"/> Day 1 (15 April 2010) <input type="checkbox"/> Day 2 (16 April 2010)
<input type="checkbox"/> I am a HKU / UCL Graduate (Year of Graduation: _____ and Programme: _____)	
<input type="checkbox"/> I require Hong Kong Law Society CPD points	

\*\* You will receive a Confirmation of Registration on or before Friday, 9 April 2010 \*\*