#### OÑATI INTERNATIONAL INSTITUTE FOR THE SOCIOLOGY OF LAW

OÑATIKO LEGE-SOZIOLOGIAKO NAZIOARTEKO ERAKUNDEA

INSTITUTO INTERNACIONAL DE SOCIOLOGÍA JURÍDICA DE OÑATI

# **VIRTUAL WORKSHOP ON:**"Access to Family Justice and Legal Incapacity"

Convenor: Mavis Maclean, University of Oxford

9 – 10 June 2022 All times are in Central European Time (CET)

# Thursday 9 June 2022

10.00	<b>Welcome</b> by <b>Leire Kortabarria</b> – A note on publications

**Welcome and Introduction from Mavis Maclean and Cheryl Morris**: the Aims and Scope of this meeting

#### **10.30 – 11.45 Part 1. Parents and Children**

**Sarah Castle** (Official Solicitor)): Representing parents who lack legal capacity in the family justice system in England and Wales

**Julietta Marotta and Laura Noemi Lora** Developments in Argentina on the Understanding of the child as a subject of procedural rights

11 45 - 12.00 Break

### 12.00 – 13.30 Part 2. Recent Reform and New Legislation: country reports

Spain: Teresa Piconto Novales, Elena Lauroba Lacasa and Encarna Roca Trias:

New legislation on disability in Spain

13.30 – 15.00 Lunch break

#### 15.00 – 16.30 Part 2. Recent reform (continued)

France: Benoit Bastard Preliminary reflections on the situation in France

<u>Bulgaria</u>: **Velina Todorova** Bulgarian legal capacity reforms: ignorance, neglect, compromise and fear

<u>Turkey</u>: **Verda Irtis** Considering people without Legal Capacity in Turkey: initial findings and further questions

16.30 - 17.00 Break

# Thursday 9 June 2022 (continuation)

17.00 – 18.30 **Part 3. Key professionals** 

**Lucy Series** Who decides? the submerged politics of the Mental Capacity Act 2005. Substitute decision makers in England and Wales

**Bregje Dijksterhuis** The role of the Guardian on legal incapacity in the Netherlands

Jacek Kurczewski Assuming tutelage over refugees informally

Online drinks reception

# Friday 10 June 2022

10.00 – 11.30	Part 4. Access to justice
	<b>Belinda Fehlberg</b> and <b>Richard Ingleby</b> Incapacity in Australian Family Law: Access to family justice in Australia for adults and children who lack mental capacity
	<b>Masha Antokolskaia</b> Towardss reshaping Dutch law for older people in the Netherlands
11.30	Break
12.00	Part 5. Roundtable discussion of 3 vignettes illustrating key issues emerging concerning access to justice for children, the elderly and the disabled who lack

13.00 THANKS and CLOSE

mental capacity