



Asian Law Centre
Melbourne Law School



School of Law
Vietnam National University, Hanoi

THE PRESUMPTION OF INNOCENCE

ONLINE EXPERTS WORKSHOP

24 JULY 2020

JOINTLY ORGANISED BY:

School of Law, Vietnam National
University, Hanoi

Asian Law Centre, Melbourne Law
School, The University of Melbourne

Jointly Organised by

School of Law, Vietnam National University, Hanoi

Asian Law Centre, Melbourne Law School, The University of Melbourne

VNU Team

Academic Convenor: Associate Professor Vu Cong Giao

Administrator: Dr Mai Van Thang

Assistants: Ms Nghiem Minh Giang, Phi Huyen Trang, Bui Tien Dat, Dang Minh Tuan, Le Lan Chi

ALC Team

Academic Convenor: Professor Sarah Biddulph

Manager: Ms Kathryn Taylor

Centre Administrator: Ms Debbie Yu

Venue

Zoom

Website

<http://go.unimelb.edu.au/4hrj>

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FRIDAY 24 JULY, 2020

7:30am-7:35am (10:30am-10:35am)	INTRODUCTIONS AND ZOOM INSTRUCTIONS	Professor Sarah Biddulph Director, Asian Law Centre Associate Professor Vu Cong Giao School of Law, Vietnam National University, Hanoi
7:35am-7:40am (10:35am-10:40am)	WELCOME FROM MELBOURNE LAW SCHOOL	Professor Sarah Biddulph Director, Asian Law Centre
7:40am-7:50am (10:40am-10:50am)	WELCOME FROM VIETNAM NATIONAL UNIVERSITY	Associate Professor Dr Nguyen Thi Que Anh Dean, School of Law, Vietnam National University, Hanoi
7:50am-8:20am (10:50am-11:20am)	AMERICAN REGION	CHAIR: Professor Sarah Biddulph, The University of Melbourne, Australia
	Discussion of the following papers:	
	The Presumption of Innocence in the USA	Ira Belkin, New York University, USA
	The Presumption of Innocence in Canada: A Comparative Perspective with Vietnam	Sébastien Lafrance, Public Prosecution Service of Canada, Canada
8:20am-9:00am (11:20am-12:00pm)	ASIA-PACIFIC 1: SOUTH AND SOUTHEAST ASIA	CHAIR: Professor Yukiko Nishikawa, Doshisha University, Japan
	Discussion of the following papers:	
	Challenges to the Presumption of Innocence in Southeast Asia	Mike Hayes, Mahidol University, Thailand
	Overview of Presumption of Innocence in Singapore (see video on website)	Benny Tan, National University of Singapore, Singapore
	The Existence of Presumption of Innocence Principle in Indonesian Anti-Money Laundering Law	Go Lisanawati, University of Surabaya, Indonesia
	Presumption of Innocence and Reverse Onus Clauses: The State of Criminal and Constitutional Jurisprudence in India	Shruti Bedi, Panjab University, Chandigarh, India

9:00am-9:50am (12:00pm-12:50pm)	VIETNAM 1	CHAIR: Dr Le Lan Chi, Vietnam National University, Hanoi, Vietnam
	Discussion of the following papers:	
	Presumption of Innocence as an Important Constitutionalised Principle of the Vietnamese Criminal Procedure Law	Dao Tri Uc, Hanoi National University, Vietnam
	Presumption of Innocence: The Important Constitutional Provision	Nguyen Dang Dung, Hanoi National University, Vietnam
	Presumption of Innocence in Criminal Procedure in Vietnam	Tran Van Do, Supreme People's Court of Vietnam, Vietnam
	Presumption of Innocence and Practice in Vietnam	Thai Vinh Thang, Hanoi University of Law, Vietnam
	The Presumption of Innocence in Legislation and Its Practical Application in Criminal Procedure in Vietnam	Nguyen Ngoc Chi, Hanoi National University, Vietnam
9:50am-10:00am (12:50pm-1:00pm)	BREAK	
10:00am-10:30am (1:00pm-1:30pm)	ASIA-PACIFIC 2: NORTHEAST ASIA AND AUSTRALIA	CHAIR: Dr Bui Tien Dat, Vietnam National University, Hanoi, Vietnam
	Discussion of the following papers:	
	Presumption of Innocence in China	Guo Zhiyuan, China University of Political Science and Law, China
	The Principle of Presumption of Innocence in Law and Judicial Practices in Japan	Yukiko Nishikawa, Doshisha University, Japan
	Presumption of Innocence and Complicity - 'Let him have it' and 'Come on let's go'	Professor Felicity Gerry QC, Carmelite Chambers, London, Crockett Chambers and Deakin University, Melbourne, Australia

10:30am-11:20am (1:30pm-2:20pm)	EUROPEAN REGION	CHAIR: Dr Mike Hayes, Mahidol University, Thailand
	Discussion of the following papers:	
	Handcuffing during the Criminal Trial - What can we Learn from DIRECTIVE (EU) 2016/343 on the Strengthening of Certain Aspects of the Presumption of Innocence [...]?	Robert Esser, University of Passau, Germany
	The Presumption of Innocence in the Legal Framework of Germany	Christoph Gröpl, Universität des Saarlandes, Germany
	Implications and Application of the Principle of the Presumption of Innocence in French Law (with interpretation into English)	Aurélie Bergeaud-Wetterwald, University of Bordeaux, France
	The Presumption of Innocence and its Role in the Criminal Process (see video on website)	Pamela R. Ferguson, University of Dundee, United Kingdom
	The Presumption of Innocence: Cases and Materials from Ireland (see video on website)	Shane Kilcommins, University of Limerick, Ireland
11:20am-11:55am (2:20pm-2:55pm)	GENERAL DISCUSSION	CHAIR: Professor Sarah Biddulph The University of Melbourne, Australia
11:55am-12:00pm (2:55pm-3:00pm)	CLOSING ADDRESS	Professor Sarah Biddulph Director, Asian Law Centre Associate Professor Vu Cong Giau, Vietnam National University School of Law

NOTE: Please see the Workshop website for extra papers by those who were unable to present at the Workshop. Some of these presenters submitted video recordings, which are also available on the Workshop website.



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