

JUDICIAL REVIEW AUTUMN SCHOOL AN INTRODUCTORY COURSE

Presented by:

The Public Law Project in partnership with
Garden Court North Chambers and
local public law practitioners

Sheffield

Monday 26th October 2009

Manchester

Wednesday 28th October 2009

Newcastle

Thursday 29th October 2009

Introductory courses to provide solicitors, advisers and decision makers with a grasp of public law principles involved in bringing judicial review cases, statutory appeals and ombudsman complaints. Each one day course is taught by both barristers and solicitors, ensuring delegates receive different professional perspectives.

All courses earn 5.5 CPD points for solicitors



This course is relevant to those who practise in or advise on social welfare law, work in a campaigning organisation with a legal strategy, or who represent and advise marginalised groups in society. Decisions of the administrative court can affect large groups of people by quashing unlawful, incorrect or unfair practices or decisions made by public bodies.

THE INTRODUCTORY COURSE

Public law: who it affects, which decisions can be challenged, what remedies are can be offered

- What kinds of decision can be challenged using Judicial Review?
- Public law wrongs
- Public bodies and public functions
- Differences between cases based on the Human Rights Act and other grounds
- Illegality and fairness
- Claims by pressure and public interest groups
- Third-party interventions in test cases
- Judicial review remedies
- Alternatives to judicial review

Initiating a claim for judicial review

- Initial advice and preparation
- Funding
- Pre-Action protocol
- Preparing to issue
- Steps in proceedings
- The final hearing and beyond

26th October 2009 Sheffield Introduction to Judicial Review

Tutors: Melanie Plimmer, Pete Weatherby, James Stark, John Dickinson and Andrew Lockley

Venue: Irwin Mitchell, Riverside East, 2 Millsands, Sheffield, S3 8DT

28th October 2009 Manchester Introduction to Judicial Review

Tutors: Diane Astin, Ben McCormack, Melanie Plimmer and Pete Weatherby

Venue: GMCVO, St Thomas Centre, Ardwick Green North, Manchester M12 6FZ

29th October 09 Newcastle Introduction to Judicial Review

Tutors: Alex Durance, Simon Garlick, Ben McCormack and James Stark

Venue: Quaker Meeting House, 1 Archbold Terrace, Newcastle Upon Tyne, NE2 1DB

THE TRAINERS

Diane Astin

Acting Director, Public Law Project

Diane is Acting Director at the Public Law Project. She has worked as a solicitor in both the voluntary sector and in private practice for 20 years, specialising in housing, community care and asylum support. She is also an experienced trainer. She is the author of 'Housing law: an adviser's handbook' published by Legal Action Group in December 2008.

John Dickinson

Associate, Irwin Mitchell

John is recognised as a leader in human rights litigation and prison law. In addition he has considerable experience of advocacy in the fields of criminal law and tribunals. He has been involved in some precedent-setting and high profile cases in the courts both in this country and in Strasbourg, including challenges to the trial and sentencing procedures for children charged with serious offences as well as high profile challenges to the mandatory life sentences and the fixing of minimum terms for murder. His cases have explored the implications of the UN Convention of the Rights of the Child and the UN Minimum Rules for the Administration of Juvenile Justice. He has been involved in litigation which has been instrumental in developing aspects of the prison regime including adjudications, the provision of offending behaviour work and the calculation of an individual's release date. John also acted in the successful challenges to the government's failure to pardon those soldiers executed for military offences during the First World War and the challenge to the lack of independence of the Parole Board from the Government.

Alex Durance

Barrister, Garden court North

Alex undertakes judicial review challenges to decisions of all public bodies and tribunals with specific reference to decisions relating to; Homelessness and Allocations, Community Care, MHRT, Immigration and Asylum, Education and Prison law. Also has significant appellate practice challenging the decisions of tribunals on appeal on public law grounds. Instructed by agents on behalf of the Official Solicitor. Experience includes obtaining without-notice interim injunctions, challenges to Administrative decisions as well as challenges to the substantive decision making process. Has conducted Judicial Review on variety of ECHR grounds including Articles 3, 5 and 8.

Simon Garlick

Consultant, Ben Hoare Bell LLP

Simon joined Ben Hoare Bell in 1986 and was a partner from 1989 until 2005 when he became a Consultant. Within the firm he has had a wide ranging practice, but for the past 8 years has specialised in clinical negligence, community care work and some personal injury (with particular expertise in brain injury). He has chaired an Inquiry set up by the Strategic Health Authority to report on the standard of secondary

mental health care treatment given to a person who subsequently committed a homicide. For many years he was the firm's Legal Services Commission franchise representative. He has significant experience of teaching in the field of community care law, and is the author of a research paper on the barriers to accessing community care law legal advice prepared for the Legal Services Commission. Simon is ranked Number 4 for Best of the UK for Human Rights in the Chambers UK Guide and is listed also in Chambers for Clinical Negligence.

Andrew Lockley

Partner, Irwin Mitchell (Head of Public Law)

Andrew is a partner with Irwin Mitchell LLP. He qualified as a solicitor in 1979 and worked for some years in firms in London. After holding a number of senior positions at the Law Society of England and Wales he joined Irwin Mitchell in 1996 where he heads the firm's work in public law litigation and human rights. Irwin Mitchell LLP is one of the country's largest law firms and the only one with a substantive legal aid practice. Andrew's team advised individuals, public authorities and businesses across the whole field of public law, including the law relating to access to education, community care and health care, the regulation of the professions and service businesses, planning and environmental law, and prison law. He is a part-time Tribunal Judge (Special Educational Needs and Disability) and a Legal Assessor for the GMC. He is a member of the Editorial board of Education, Public Law and the Individual. He is a graduate of Henley Management College's senior management course and is an Honorary Fellow of the University of Sheffield.

Ben McCormack

Barrister, Garden Court North

Ben has substantial experience of bringing public law challenges against public bodies including emergency injunction applications for interim relief for housing clients and those with overlapping community care needs, enforcement of interim / substantial housing duties, judicial review challenges to allocation schemes, challenges to decisions in relation to Community Care provision, cases involving asylum support issues, enforcement of duties under the Children Act 1989 and cases involving Human Rights issues. Ben also specialises in all aspects of housing law.

Melanie Plimmer

Barrister, Garden Court North

Melanie has specialised in public law for over thirteen years and presently undertakes a wide cross-section of judicial review applications, advisory work and training. She has particular experience in public law matters with an immigration / discrimination / human rights overlap, including national security matters, asylum support, fresh claims, local authority decisions relating to persons subject to immigration control and has recently provided training to the EHRC on judicial review applications. She has a keen interest in issues relating to women asylum seekers and Article 8 of the ECHR and has been involved in some of the leading decisions in this area - SSHD v K; Fornah v SSHD [2006] UKHL 46, Rainford [2008] EWHC 2474, R (Card) v SSHD (Manchester Admin Court, 25.9.09). Melanie has also appeared and advised in many key prison law matters including the policy to transfer all foreign

national prisoners to a limited number of prisons, categorisation decisions relating to foreign national prisoners, foreign national prisoners and the RRA, the ambit of the DDA in prison judicial review applications, the role of private prisons in judicial review applications, systematic failure in the provision of the ESOTP, compassionate release (A.S., R (on the application of) v Secretary of State for Justice [2009] EWHC 1315 (Admin)), the requirement to hold an oral hearing in certain Category A cases (Riley v (1) Governor of HMP Frankland and (2) CART [2009] EWHC 2146 & 2146 (Admin)) and matters relating to the ECHR (SSJ v James [2009] UKHL 22).

James Stark

Barrister, Garden Court North

James' public law practice focuses on challenging decisions of public authorities and tribunals including a number of judicial reviews relating to housing and homelessness and failure to provide after-care services under the Community Care Act. He also advises on the impact and rights and obligations under the ECHR across all areas of practice. James also specialises in all aspects of housing law, including residential landlord and tenant (public/private), in particular possession proceedings, disrepair and housing - related personal injury, unlawful eviction and harassment, judicial review, allocations and homelessness and housing benefit. In addition he runs discrimination claims in goods and services relating to premises, and the conduct of public authorities. James recently appeared in the important case of Manchester City Council v Pinnock [EWCA] Civ 852 dealing with demoted tenancies and Art 8 of the ECHR

Pete Weatherby

Barrister, Garden Court North

Pete Weatherby has specialised in human rights and prison law for the past 18 years. He has appeared in numerous judicial reviews and appeals at every level, and also in the European Court of Human Rights. He appeared in the landmark case of; Ezeh & Connors v UK [2004] 39 EHRR 1 which resulted in substantial changes to the Prison Rules 1999 with respect to prison discipline hearings. He appeared in the leading Article 2 case; R v HMC ex parte Middleton [2004] 2 AC 182, which significantly extended the scope of findings in inquests relating to deaths of those in the care of the State, and he has appeared in the recent IPP litigation which is now progressing to the Strasbourg Court (Article 5). He also specialises in miscarriage cases, having represented Robert Brown whose murder conviction was quashed after he had served more than 26 years, and he is currently representing Michael Shields, who successfully challenged Jack Straw, to establish that the Justice Secretary has the power to pardon in a case where a repatriated prisoner was wrongly convicted abroad. Pete also has a criminal defence practice and specialises in Case Stated and judicial review of decisions taken by Magistrates and the Crown Court.

I would like to book place(s) on 'Judicial Review Autumn School in the North

Please tick the box next to the course you wish to attend.
Please use separate booking forms if booking different days.

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| <input type="checkbox"/> | Manchester - Wednesday 28th October 09 | Introduction to Judicial Review |
| <input type="checkbox"/> | Newcastle - Thursday 29 October 09 | Introduction to Judicial Review |

ALL COURSE(S) RUN FROM 9.45am to 5pm and earn solicitors 5.5 cpd points Our course code is SA/PLP

Lunch and beverages will be provided, if you have any special dietary requirements please indicate

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PLEASE NOTE Payment must be made before the course, unless specific arrangements have been made to the contrary and agreed with The Public Law Project Administration.

Standard fee: £99 + VAT (£113.85) per delegate.

Discounted fee: £49 + VAT (£56.35) per delegate.

(charities, voluntary sector; academics, students, trainee solicitors, pupils and barristers within 2 years of admission)

Cancellation fees: More than 2 weeks before event: £25 + VAT

Within 2 weeks of event: 100% of delegate fee



Please return to:

Pamela Powell, Public Law Project, 150 Caledonian Road, London N1 9RD.

Tel: 0845 543 5941 Fax: (020) 7837 7048 Email p.powell@publiclawproject.org.uk

TERMS & CONDITIONS: Contract: A contract will be formed when the Public Law Project ("us" or "we") accepts a booking request and sends confirmation to the delegate ("you"), and not before. We are under no obligation to accept any booking form or send confirmation, and will not be liable for any losses caused by our refusal or failure to do so. Payment: The fee for the event must be paid either within 28 days of the date of the confirmation or by the date of commencement of the event, whichever is the earlier. Where payment is not received when due, we shall be entitled to charge an administration charge of £10 and to claim interest at a rate of 5% per annum above the Bank of England bank rate on any overdue fees. Subject to the provisions on cancellation, the event fee remains due and payable irrespective of whether you actually attend the event. Cancellation: Delegates may be substituted at any time with no additional cost. You may cancel your booking without incurring any fee or charge by providing us with notice in writing within a period of 7 working days following the date of confirmation of booking (the date on which any such cancellation notice is made shall be determined in accordance with Regulation 10 of the Consumer Protection (Distance Selling) Regulations 2000) provided the event is due to begin after the end of that 7 working day period. After that period of 7 working days, you may cancel your booking at any time prior to the date of the event by providing us with notice in writing and on the following terms: (a) If we receive cancellation of a booking [14] days or more before the commencement of the relevant event, we will refund the fee for the event (or whatever part thereof, if any, that has been paid by that time), less £25 plus VAT; (b) if we receive cancellation of a booking [13] days or fewer before the commencement of the relevant event, the whole of the event fee will remain payable, with no refund. Any cancellations received after 5.00 pm shall be treated as received on the next working day. In any cases in which you cancel, we shall not be liable to pay interest on any amount refunded. We shall be entitled to cancel any bookings at any time and for any reason. If we make such cancellation, we will refund any event fees already paid and any unpaid event fees will no longer be due. We shall not be liable to pay interest on any amount refunded. We will not be liable to you for any other expenses, costs or losses of any nature, including without limitation costs of travel or accommodation. We reserve the right to vary the event content, speakers or venue to alternatives of equivalent quality or price where necessary.

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