

JUDICIAL REVIEW

TRENDS & FORECASTS LONDON 2008

A conference by practitioners for practitioners

THURSDAY 16 OCTOBER 9.15am – 5.15pm

Herbert Smith, Exchange House, Primrose St, London EC2A 2HS



WHO SHOULD ATTEND THIS CONFERENCE

- All practitioners involved in, or who want to become involved in, Judicial Review proceedings.

WHY YOU SHOULD ATTEND

- This is a unique event, set up by practitioners for practitioners that brings together a mix of both claimant and defendant lawyers.
- It emphasises the practical aspects of Judicial Review litigation.
- Leaders in the field will provide up-to-date information on the latest Judicial Review case law and trends.
- Earn 6 hours of Law Society / Bar Council CPD credit.

MAIN THEMES

- Review of the year's Top 10 Judicial Review cases.
- Prediction of key trends in Judicial Review.
- The PLP Debate: Administrative justice in an age of change – will the new First Tier and Upper Tribunals improve access to justice?
- Workshop discussions led by experienced practitioners on Contracting Out Public Law Liability; Judicial Review and Article 6; Making Effective Use of Ombudsman Schemes; Freedom of Information Act; Discrimination Claims in Public Law; Damages & Just Satisfaction; and Strategy in JR for Claimants and Defendants.
- Judicial Review research news.

MORNING SESSION

Chaired by Mike Fordham QC BARRISTER, BLACKSTONE CHAMBERS

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- 09.15–09.30 **Registration and coffee**
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- 09.30–09.35 **Welcome and introduction**
Conrad Haley DIRECTOR, PUBLIC LAW PROJECT
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- 09.35–10.00 **Opening address**
Mr Justice Collins LEAD JUDGE, ADMINISTRATIVE COURT
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- 10.00–10.40 **The year's top 10 Judicial Review cases**
Stephen Grosz PARTNER AND HEAD OF PUBLIC LAW AND HUMAN RIGHTS, BINDMANS
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- 10.40–10.55 **Questions and discussion**
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- 10.55–11.15 **Coffee break**
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- 11.15–12.10 **Morning Workshops**
1: CONTRACTING OUT PUBLIC LAW LIABILITY
Murray Hunt LEGAL ADVISOR TO THE JOINT PARLIAMENTARY COMMITTEE ON HUMAN RIGHTS
This workshop will examine the future for Judicial Review, contracting out and accountability following Cameron v Network Rail Infrastructure Ltd (Formerly Railtrack plc) and YL v Birmingham City Council & Southern Cross Healthcare Ltd.
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- 2: JUDICIAL REVIEW AND ARTICLE 6**
James Maurici BARRISTER, LANDMARK CHAMBERS
Is Judicial Review really sufficient to protect article 6 rights? Regarding the right to a fair hearing, does the common law now provide adequate procedural safeguards? Can it be taken to include the protections set out in Article 6?
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- 3: IT'S PUBLIC LAW, BUT NOT AS WE KNOW IT: MAKING EFFECTIVE USE OF OMBUDSMAN SCHEMES**
John Halford PARTNER, BINDMANS
This workshop will examine the jurisdiction of the Local Government and Parliamentary Ombudsmen, discuss when their involvement may lead to a better outcome than Judicial Review could, and look at tactics to maximise the prospects of complaints being investigated and recommended remedies accepted.
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- 4: FREEDOM OF INFORMATION ACT**
Phil Michaels HEAD OF LEGAL, FRIENDS OF THE EARTH
How to get the most out of the Freedom of Information legislation, including tactical advice on how to use the FoI Act in particular contexts.
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- 12.10–12.55 **The PLP Debate**
Administrative justice in an age of change: will the new First Tier and Upper Tribunals improve access to justice?
Edward Jacobs SOCIAL SECURITY AND CHILD SUPPORT COMMISSIONER
Simon Cox BARRISTER, DOUGHTY STREET CHAMBERS
Beverley Lang QC BARRISTER, BLACKSTONE CHAMBERS
Will the changes to the Administrative justice system improve access to justice or lead to a second class system? Who will the changes benefit? What are the legal aid funding implications?
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- 12.55–13.10 **Q&A**
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- 13.10–14.10 **Lunch**
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AFTERNOON SESSION

Chaired by Kate Markus BARRISTER, DOUGHTY STREET CHAMBERS

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- 14.00–14.30 **Empirical research news:**
Prof Maurice Sunkin PROFESSOR OF LAW, UNIVERSITY OF ESSEX
Varda Bondy SENIOR RESEARCHER, PLP
Present findings from two Nuffield Foundation-funded empirical research studies. The first presentation, based on 'The Permission Stage in Judicial Review' study, will focus on the difficulties of getting beyond the permission stage; the second, based on the recently completed 'Mediation and Judicial Review' study, will examine how mediation features in public law disputes and discuss the reasons for its low uptake.
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- 14.30–15.30 **Afternoon Workshops**
5: STRATEGY & NEW DEVELOPMENTS IN JUDICIAL REVIEW FOR CLAIMANTS
Karen Ashton PARTNER, PUBLIC LAW SOLICITORS
An overview of the Judicial Review procedure rules from the Claimant lawyer's perspective.
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- 6: STRATEGY & NEW DEVELOPMENTS IN JUDICIAL REVIEW FOR DEFENDANTS**
Andrew Lidbetter PARTNER, HERBERT SMITH
An overview of the Judicial Review procedure rules from the Defendant lawyer's perspective.
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- 7: DISCRIMINATION CLAIMS IN PUBLIC LAW**
David Wolfe BARRISTER, MATRIX CHAMBERS
An examination of the new Equalities Duties placed on public bodies, and the associated litigation. What does 'due regard' actually mean and how it can be evidenced?
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- 8: DAMAGES & JUST SATISFACTION**
Nigel Giffin QC BARRISTER, 11 KINGS BENCH WALK CHAMBERS
Damages claims in Judicial Review proceedings – how are the domestic courts applying the Strasbourg jurisprudence?
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- 15.30–15.45 **Tea break**
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- 15.45–16.30 **Trends & forecasts in Judicial Review - practitioners dealing with JR's cutting edge**
Nathalie Lieven QC BARRISTER, LANDMARK CHAMBERS
A round-up of the day, considering the main ideas covered, and providing an authoritative forecast of the trends in Judicial Review for practitioners.
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- 16.30–16.45 **Questions and discussion**
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- 16.45–17.15 **Closing address**
Sir Henry Brooke PLP PATRON AND FORMER LORD JUSTICE
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- 17.15 **Close of conference**
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BOOKING FORM

I would like to book place(s) on 'Judicial Review: Trends and Forecasts' in London on 16th October 2008.

Workshop sessions (please circle first choice):

Morning 1 2 3 4 Afternoon 5 6 7 8

Name:

Position:

Organisation:

Address:

Postcode:

Tel:

Fax:

Email:

Special dietary requirements:

Access requirements:

I enclose a cheque for £ / Please invoice me for £ (delete where applicable).

If paying by purchase order, please raise it with your accounts department before booking.

Standard fee: £280+VAT (£329) per delegate.

Discounted fee (charities, voluntary sector, academics, students, trainee solicitors, pupils and barristers within 2 years of admission): £190+VAT (£233.25) per delegate.

50% off third delegate when 3 book from the same organisation at the same time.

Limited number of free places. Please contact PLP for more information.

Cancellation fees: MORE THAN 2 WEEKS BEFORE EVENT: £50 + 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: **020 7697 2191** Fax: **020 7837 7048** Email: **p.powell@publiclawproject.org.uk**

Downloadable booking form available at **www.publiclawproject.org.uk**