

THE PUBLIC LAW PROJECT

Wales Conference 2012



Public Law
Wales

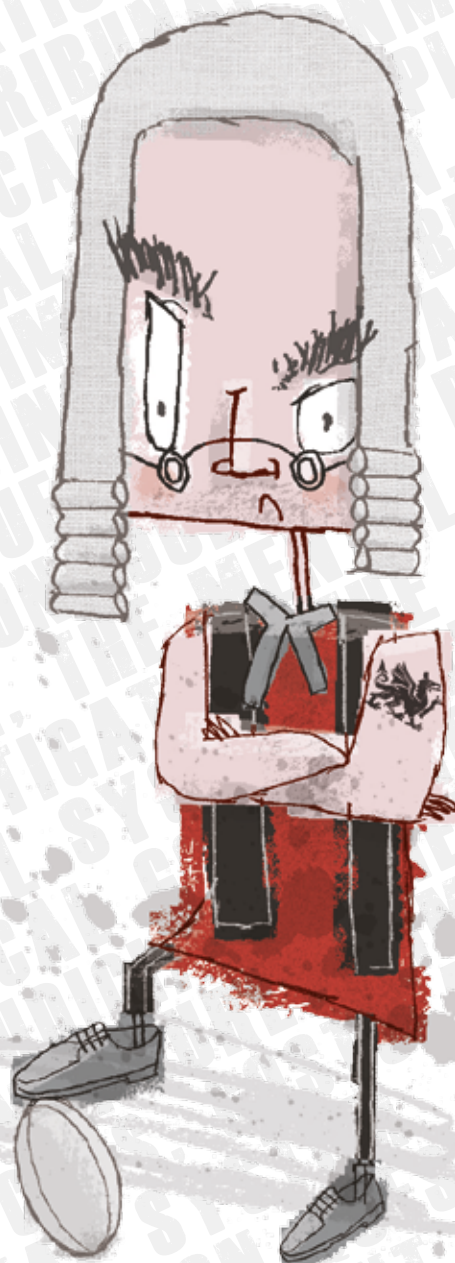
Wednesday 4th April 2012
Cardiff University Glamorgan Building
King Edward VII Avenue
Cardiff, CF10 3WT

6 CPD / BSB / ILEX hours

A conference for
Lawyers, advisers
legal services in public bodies
advocates and campaigners

*"I know of no duty of
the court which is more
important to observe, and no
power of the court which is
more important to enforce,
than its power of keeping
public bodies within their
rights."*

Lindley MR in *Roberts v
Gwyrfai District Council*
[1899] 2CH 608, 614



For booking forms, more programmes and information
or to book online go to: www.publiclawproject.org.uk

MORNING SESSIONS

Chair: Carolyn Goodall

Solicitor, Sinclairs Law

- 10.00 The Welsh jurisdiction question**
John Wotton, President, The Law Society
- 10.30 Morning Workshops**
- 11.40 Coffee Break**
- 12.00 Judicial Review in Wales: The top ten cases of the year**
A review and analysis of the important cases lodged in, or affecting, Wales.
Gwion Lewis, Barrister,
Landmark Chambers
- 12.30 Litigating the Cuts: Recent cases and current themes**
Louise pioneered the use of the equalities duties to challenge funding decisions, and continues to make ground breaking cases for community groups and NGO's using the Administrative Court. She was recently a guest on Clive Anderson's 'Unreliable Evidence' on Radio 4 discussing the growth in prominence of this area.
Louise Whitfield, Solicitor, Pierce Glynn.
- 13.10 Lunch**

MORNING BREAKOUT SESSIONS

(1 hour 10 minutes): choose one.

1 Introduction to public law and judicial review

This seminar looks at the basic principles of public law, and the processes and procedures involved in challenging public body decision making.

Carolyn Goodall, Solicitor, Sinclairs Law
Joanne Clement, Barrister, 11 KBW

2 Planning and judicial review

A review of recent cases in Wales and a consideration of their consequences for future development proposals and for development planning.

Rhodri Price Lewis QC, Landmark Chambers

3 An introduction to judicial review and immigration

The seminar will explore the interplay between immigration law and judicial review and how best to challenge the decisions of the Secretary of State for the Home Department.

Rebecca Harrington, Christian Howells &
Rebecca Stickler, Barristers, 30 Park Place

4 Adjusting the safety valve judicial review of the Upper Tribunal

This workshop will look at the outcome of Cart, considering both the practical and constitutional implications.

Christopher Jacobs, Barrister,
Landmark Chambers

The Public Law Project is an independent, national charity aiming to improve access to justice.

Its three main objectives are:

- Increasing the accountability of public decision makers;
- Enhancing the quality of public body decision making; and
- Improving access to justice.

To fulfil this mission PLP undertakes research, policy initiatives, casework and training. PLP also takes on cases where litigation can impact on policy.

To find out more, please visit our website at: www.publiclawproject.org.uk

AFTERNOON SESSIONS

Chair: Eve Piffaretti

Partner, Morgan Cole LLP

14.00 The Tribunal System in Wales: Map and update on jurisdictions

The picture with regard to tribunals in Wales is a challenging one. The Vice-President will be providing a map and a look at the key issues, including judicial independence and training.

Elisabeth Arfon-Jones, Vice-President, Upper Tribunal Immigration and Asylum Chamber & Senior Tribunals Liaison Judge (Wales)

14.30 The Public Law Debate: Public law in a future Wales

Chair: Gwion Lewis

Landmark Chambers & Welsh Government Junior Panel of Counsel

Panellists:

Theodore Huckle QC,
Counsel General for Wales

Emyr Lewis, Senior Fellow, Wales Constitutional Centre, Cardiff University & Partner Morgan Cole LLP

Joanne Clement, 11KBW & Welsh Government Junior Counsel Panel

Elisabeth Arfon-Jones,
Senior Tribunals Liaison Judge (Wales)

Huw Williams
Partner, Geldards LLP

Rhodri Williams QC
30 Park Place

15.15 Coffee Break

15.30 Afternoon workshops

16.40 Closing Address

The Honourable Mr Justice Wyn Williams
a Presiding judge of the Wales circuit

17.00 Home Time!

AFTERNOON BREAKOUT SESSIONS

(1 Hour 10 minutes): choose one.

5 The issue of venue for Administrative Court claims

This session will explore Practice Direction 54D of the Civil Procedure Rules and the emerging jurisprudence on when it is appropriate for Administrative Court claims to be lodged in the Administrative Court Office in Wales. The session will also provide a guide for practitioners across Wales, as well as in England, on obtaining an Administrative Court hearing as locally as possible. David will take the session through the practice direction and expand upon how this has been developed by case law, with a bit of Welsh Legal History thrown in.

David Gardner,
Administrative Court Office Lawyer (Wales)

6 Getting the measure of mental health?

This workshop will consider changes made to current legislative arrangements in respect of the rights of people with mental health problems in Wales by the Mental Health (Wales) Measure 2010 and how those rights can be enforced. We will consider how the Measure was drafted, its implementation via associated Regulations and what the likely impact will be.

Eve Piffaretti, Partner, Morgan Cole LLP
Alun Thomas, Deputy Chief Executive, Hafal

7 "It is no good your jeering it is going to be done": Bias and predetermination in local government

This session will consider bias and predetermination in local authorities as a basis for judicial review. The legal doctrines will be examined through a review of the case law. The session will also consider the ways in which the conduct of local authority members is regulated to restrict instances of bias and predetermination.

Richard Turney, Barrister, Landmark Chambers

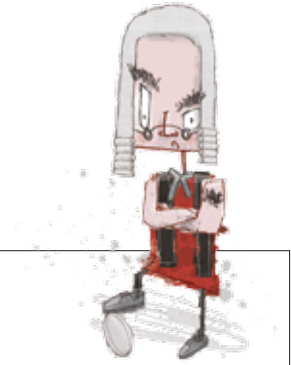
8 Funding public law challenges

This seminar will look at the Legal Aid reforms and the options open to both individuals and organisations seeking to use the Administrative Court - including Protective Costs Orders (PCO's), Conditional Fee Agreements (CFA's), third party funding and the importance of the Bhata judgement for costs recovery in the wake of a public body conceding before hearing.

Louise Whitfield, Solicitor, Pierce Glynn
Tim Buley, Barrister, Landmark Chambers

PLEASE NOTE: The conference will be held in English, and we apologise there will be no translation facilities.

Booking form



I would like to book a place on

'Public Law Project Wales Conference 2012'

in Cardiff on Wednesday 4th April 2012.

Venue: Cardiff University Glamorgan Building, King Edward VII Avenue, Cardiff, CF10 3WT

Please use a separate booking form for each place

Workshop sessions, Please circle first choice

Morning

Afternoon:

Special dietary requirements

Access requirements

Name

Position

Organisation

Address

Post code

Tel

Fax

Email

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.

PLEASE NOTE: Payment in full is required before your place on the conference will be confirmed.

Cheques should be made out to 'The Public Law Project'

Please return to: Training, Public Law Project, 150 Caledonian Road, London N1 9RD

Tel: 0845 543 5946

Fax: (020) 7837 7048.

Email: training@publiclawproject.org.uk



For booking forms, more programmes and information or to book online go to: www.publiclawproject.org.uk

Standard fee: £150 + VAT (£180) per delegate.

Discounted fee - charities, voluntary sector, academics, students, trainee solicitors, pupils and barristers within 2 years of admission: £75 + VAT (£90) per delegate.

Advisers: £50 +VAT (£60) - (such as advisers at Citizen's Advice, Age Cymru, student advisers and lay advocates working in the voluntary sector)

50% off third delegate when 3 book from the same organisation at the same time. Fees include refreshments and lunch.

Cancellation policy and fees: A refund of fees will be made only for cancellations received in writing at least 10 working days before the event (less a £25 + VAT administration charge). Should you cancel less than 10 working days before the event, no refund is payable. However, a substitute delegate will be accepted at any time before the event.

This programme is correct at the time of going to press. However, we reserve the right to alter or cancel the programme due to unforeseen circumstances.