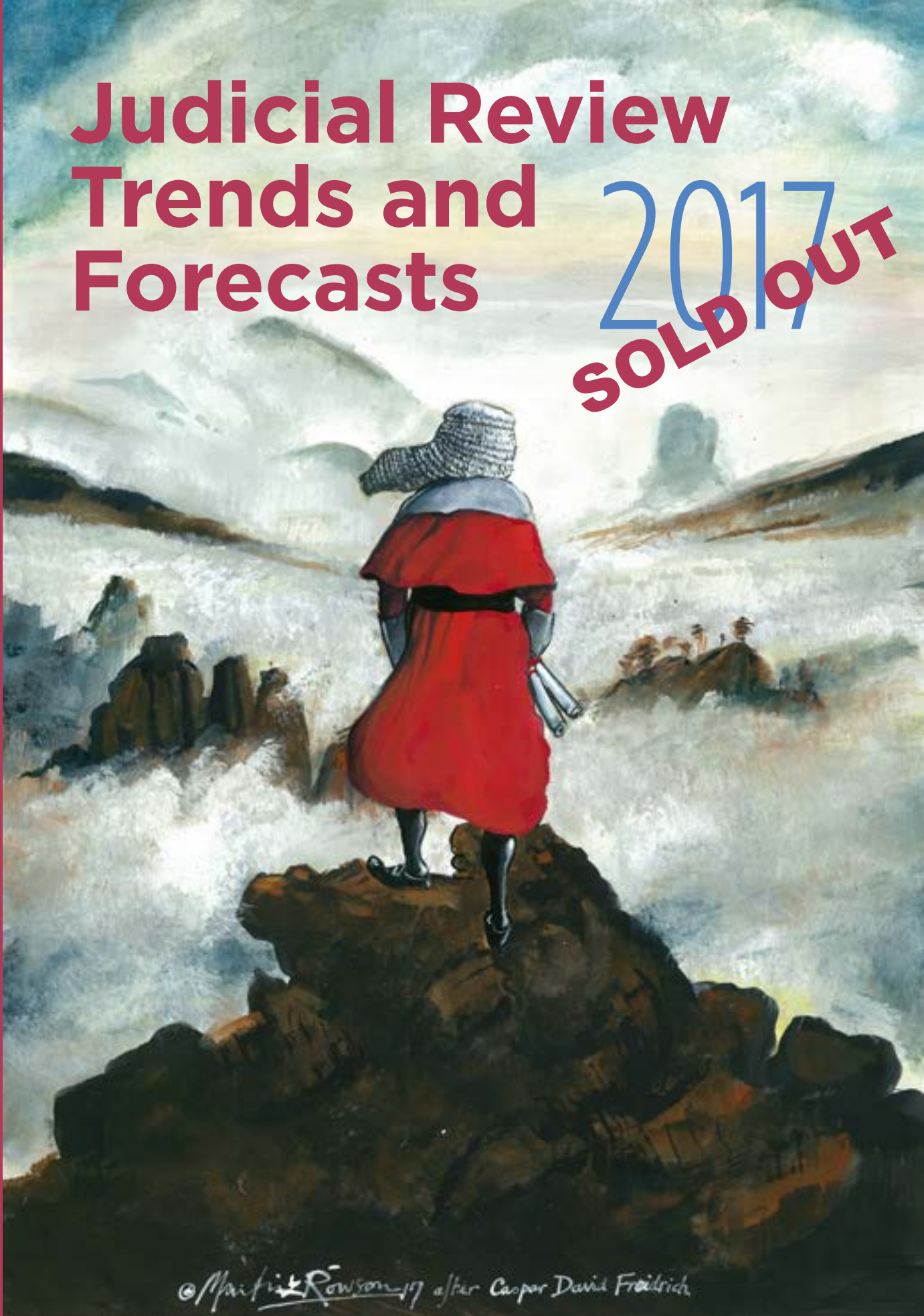


Tuesday 17 October 9.30–17.30 6 CPD / BSB

Herbert Smith Freehills, Exchange House, Primrose Street, London EC2A 2HS

Judicial Review Trends and Forecasts

2017
SOLD OUT



Public
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Project



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Blackstone
CHAMBERS

MORNING SESSION

Chair: Paul Bowen QC, Brick Court Chambers

9.30 Introduction

Jo Hickman, Director, Public Law Project

9.35 Opening address

Some thoughts on the role of the judges in the post-referendum world

Lord Neuberger

10.00 The top public law cases of the year

Naina Patel, Blackstone Chambers
Alison Pickup, Public Law Project
Nusrat Zar, Herbert Smith Freehills

10.45 Costs in judicial review

This talk will look at the scope and potential impact of Lord Justice Jackson's Review of Fixed Recoverable Costs, with a focus on costs in judicial review.

Peter Mant, 39 Essex Chambers

11.15 Parliamentary privilege, Article IX of the Bill of Rights and admissibility

This session is a discussion of the latest case law on the use that can be made of Parliamentary materials in litigation.

Martin Chamberlain QC, Brick Court Chambers
James Segan, Blackstone Chambers

11.45 Break

12.00 Morning breakout sessions

Please choose one of four:

1. Update on the private/public data divide

This session will look at the likely provisions of the Data Protection Bill announced in the Queen's speech and the impact this will have on often controversial uses of data by public bodies such as the NHS and schools (but not necessarily law enforcement agencies). This session will also look at the current regulatory options for challenging exploitation of data by private companies on previously unseen scales, by organisations looking to influence (amongst other things) elections.

Dan Squires QC, Matrix Chambers
Ravi Naik, ITN Solicitors
Tim Pitt-Payne QC, 11KBW

2. Judicial review of the regulators

This seminar is an update on the application of judicial review principles to the regulators across a range of commercial sectors, and focuses on recent cases and also particular trends.

Andrew Lidbetter and Jasveer Randhawa,
Herbert Smith Freehills

3. Public law and women's rights

This session will look at recent claims by both individuals and organisations for access to healthcare, abortion, legal aid for survivors of domestic abuse and welfare benefits. How far will the courts go to recognise and vindicate women's rights, and what impact do such legal challenges have on policy formation?

Chair: Sara Lomri, Public Law Project
Jude Bunting, Doughty Street Chambers
Zoë Leventhal, Matrix Chambers
Nathalie Lieven QC, Blackstone Chambers

4. Enforcement of ECtHR judgments and what practitioners can do about it

Effective and timely enforcement of final judgments of the European Court of Human Rights is an issue which stretches beyond prisoners' votes. The Committee of Ministers appears poised to use their Art 46(4) power to refer back to the Court and rule changes have encouraged more advocacy from NGOs and applicants' lawyers. The focus remains on securing robust national implementation. Our panel discusses the legal options and tactics for practical engagement on behalf of clients at the Council of Europe; new national barriers to implementation and how to identify and utilise opportunities to secure implementation of judgments both on Whitehall and at Westminster.

Alex Bailin QC, Matrix Chambers
Matthew Evans, Director, The AIRE Centre
Angela Patrick, Doughty Street Chambers

13.00 Lunch

AFTERNOON SESSION

Chair: Dinah Rose QC, Blackstone Chambers

14.00 Panel: Public law and the European Union (Withdrawal) Bill

Chair: Dinah Rose QC

Panellists:

Professor Catherine Barnard,
Cambridge University

Daniel Greenberg, Parliamentary Counsel

Victoria Hewson, Senior Associate CMS and
counsel to the Legatum Institute Special
Trade Commission

Sir Paul Jenkins QC (Hon), Matrix Chambers
and former Head of the Government Legal
Department and Permanent Secretary to the
Attorney General from 2006 to 2014

15.00 Break

15.20 Afternoon breakout sessions

Please choose one of four:

5. Duty of candour, transparency and 'open justice'

The session will look at current issues in duty of candour, such as the perceived increased expectation of transparency on claimants. The second part of the presentation looks at developments in the law on anonymity, access to documents/materials on the court file and reporting restrictions.

Chair: Tim Otty QC, Blackstone Chambers
Jesse Nicholls, Doughty Street Chambers
Iain Steele, Blackstone Chambers

6. Public law in a new era of counter-terror

This session will look at both domestic and international legal developments in counter terror and counter extremism, including the Prevent strategy, other aspects of TPIMS, the use and abuse of administrative measures to curtail activities of suspected terrorists or extremists, procedural fairness and cross border issues in the context of a changing Europe.

Chair: Rakesh Singh, Public Law Project
Zahra Al-Rikabi, Brick Court Chambers
Stephanie Harrison QC, Garden Court Chambers
Adriana Edmeades, Legal & Policy Director,
Rights Watch UK

7. 'They think it's all over...' – post Miller litigation on the legality of Brexit

This session will look at major legal issues subsequent to the Brexit case and the triggering of Article 50, including an evaluation of the 'Three Knights Opinion', constraints on the negotiations, the use of the royal prerogative in related negotiations and the (potential) loss of fundamental rights.

Chair: Prof Jeff King, University College London (UCL), Faculty of Laws

John Halford, Bindmans LLP

Gerry Facenna QC and Jack Williams,
Monckton Chambers

16.20 Enforcing equality and human rights in uncertain times

Elizabeth Prochaska, Legal Director,
Equality and Human Rights Commission (EHRC)

16.40 Applying public law principles in housing cases: the current landscape

His Hon. Judge Jan Luba QC

17.05 Closing address

The Rt Hon. Lord Justice Fulford,
Investigatory Powers Commissioner

17.30 Finish & drinks reception