

Judicial Review Trends and Forecasts 2019

Public law and
technology
**Wednesday
30 October**

Herbert Smith Freehills
Exchange House
Primrose Street
London EC2A 2HS



Public
Law
Project



Blackstone
CHAMBERS



HERBERT
SMITH
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MORNING SESSION

Chair: Shaheed Fatima QC, Blackstone Chambers

9.30 Introduction

Jo Hickman, Director, Public Law Project

9.35 Opening address

Making the administrative court electronic: The case management system of the future!

Mrs Justice Cockerill

10.00 Top public law cases of the year

Tristan Jones, Blackstone Chambers
Alison Pickup, Public Law Project
Mark Smyth, Herbert Smith Freehills

10.45 Duty of candour and cooperation

Charlotte Kilroy QC, Doughty Street Chambers
Iain Steele, Blackstone Chambers

11.15 Break

11.30 Explaining algorithms and automation: A guide for lawyers

An overview of the different technologies, relevant research on human-computer interaction including algorithmic 'fairness' and other technologies, the use and application of which will be of interest to public lawyers and those working in the public sector.

Reuben Binns,
Oxford University Department of Computer Science

12.00 Morning breakout sessions

Please choose one of four:

1. Automation and evidence

How do you prove that an automated decision may have impacted adversely on people's rights? What are the practical implications for design and delivery that the state needs to consider when making systems lawful, and what evidence would need to be presented to challenge automated decisions through judicial review?

Chair: Katy Sheridan

Megan Goulding, Liberty

Christopher Knight, 11KBW

Dr Joe Tomlinson, Research Director, Public Law Project and Senior Lecturer in Public Law, University of York

Amanda Weston QC, Garden Court Chambers

2. The child's voice in public law

Public law provides a unique and necessary function when it represents the interests of children. This session looks at recent challenges to policy including the 'child spies' case and developments in the law for child refugees.

Chair: Jason Pobjoy, Blackstone Chambers

Fiona Couzens, Simpson Millar

Prof Helen Stalford, University of Liverpool

Jennifer Twite, Head of Strategic Litigation, Just for Kids Law

3. The Modern Slavery Act, public law and technology

This session looks at the implementation of The Modern Slavery Act, the use of technology in ensuring that obligations imposed by legislation are being met, and recent case law developments in modern slavery and trafficking.

Chair: Naina Patel, Blackstone Chambers

Daniel Hudson, Herbert Smith Freehills

Craig Melson, Programme Manager, Tech UK

Nusrat Uddin, Wilson Solicitors LLP

4. Judicial review of the regulators – An update

This session is an update on judicial review of the regulators, and will include a focus on the effect of Brexit on commercial JR as a topic of particular relevance.

Marie Demetriou QC, Brick Court Chambers

Andrew Lidbetter, Herbert Smith Freehills

13.00 Lunch

AFTERNOON SESSION

Chair: Michael Spencer, One Crown Office Row

14.00 Accountability in the digital state

Digitisation is revolutionising Government, but along with greater efficiencies and insight comes the potential for abuse of power. Will public lawyers be applauding transparent, efficient and fair state decision making or will technology subvert the Rule of Law?

Introduction: Dr Joe Tomlinson, Research Director, Public Law Project and Senior Lecturer in Public Law, University of York

Chair: Lord Anderson of Ipswich KBE QC

Panel: Carly Kind, Director, The Ada Lovelace Institute

Joanna Cavan OBE, Director Strategy, Policy and Engagement at GCHQ

Catherine Miller, Director of Policy, Doteveryone

15.00 Update on the work of PLP

15.15 Break

15.30 Afternoon breakout sessions

Please choose one of four:

5. Public law and online courts

It has been three years since the announcement of the *Transforming Our Justice System* programme. Since then court closures have preceded the widescale arrival of digital, or 'assisted digital', courts and tribunals, and while the potential for a digitally transformed system is undoubtedly vast, questions remain around operation, access and digital exclusion. This session looks at the current state of play with the online courts programme and what is at stake with regard to public law and access to justice.

Chair: Matt Ahluwalia, Public Law Project
Mary Clarke, Regional Judge of the First-tier Tribunal

Penelope Gibbs, Transform Justice
Prof Sue Prince, Law School, University of Exeter

6. Digitisation and immigration

Digitisation in the immigration context has been with us for some time and is about to face its largest systems test yet with the Settled Status scheme. This session will look at digital exclusion, public law and rights issues with data sharing and automated decision-making flaws. It will also look at problems with individuals accessing, and potentially paying for, outsourced systems essential to making online applications.

Swee Leng Harris, Legal Education Foundation
Bijan Hoshi, Public Law Project
Jonathan Kingham, North Star Law
Adam Straw, Doughty Street Chambers

7. Compliance at all levels?

Enforcing the Human Rights Act

Following the cases of Carmichael and RR, what powers do tribunals have to interpret or disapply secondary legislation that violate a claimant's rights under the European Convention on Human Rights?

Chair: Nick O'Brien, Judge of the First-tier Tribunal
Rosie Brighthouse, Liberty
Carla Clarke, Child Poverty Action Group
Jennifer MacLeod, Brick Court Chambers

8. The future of environmental judicial review

From fracking to pest control, climate change to air quality, environmental judicial review continues to be at the cutting edge of public law with new and experienced NGOs and campaign groups committed to enforcing environmental legislation and challenging Government decision making. Our panel looks at current and future trends and also asks whether, in a post-Brexit UK, environmental standards are at risk.

Chair: Nina Pindham, No5 Chambers
Carol Day, Leigh Day
Katie de Kauwe, Friends of the Earth
David Wolfe QC, Matrix Chambers

16.30 The public law to do list

Mike Fordham QC, Blackstone Chambers

17.00 Closing address

Public law and human rights: The challenges ahead

Kate O'Regan,
Director, Bonavero Institute of Human Rights,
University of Oxford

17.30 Close

BOOKING FORM

Please use a separate booking form for each delegate

The easiest and quickest way to book is online at www.publiclawproject.org.uk

I would like to book a place at **Judicial Review Trends And Forecasts 2019**,
on **Wednesday 30 October 2019** at **Herbert Smith, Exchange House, Primrose Street, London EC2A 2HS**,
9.30–17.30 (9.00 for coffee and registration)

WORKSHOP SESSIONS (please mark first choice for both morning and afternoon)

MORNING ① ② ③ ④

AFTERNOON ⑤ ⑥ ⑦ ⑧

NAME: _____

POSITION: _____

ORGANISATION: _____

ADDRESS: _____

_____ POSTCODE: _____

TEL: _____ FAX: _____

EMAIL: _____

ACCESS REQUIREMENTS: _____

DIETARY REQUIREMENTS: _____

Standard fee: £354 per delegate (£295 + VAT per delegate)

**Discounted fee (charities, voluntary sector, academics, students, trainee solicitors and pupils):
£228 per delegate (£190 + VAT)**

Discounts are available for block bookings of 3 or more delegates when booking together from the same organisation. Please see website for details.

Fees include refreshments and lunch.

I enclose a cheque for £ _____ Please invoice me for £ _____

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 course 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: 020 7843 1266 Fax: 020 7837 7048

Email: bookings@publiclawproject.org.uk (you can just scan and e-mail us this form)

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

A refund of fees will be made only for cancellations received in writing, including by e-mail, at least 10 working days before the event, less an administration for of £50. 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.