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Disciplinary and Regulatory Tribunals: Practice and Procedure 2015 Conference

11 March 2015

6 CPD Hours

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Central London

Fees: £415 + VAT CLT Members/ £525 + VAT Non-Members

This conference, chaired by Nick Leale of Blake Morgan LLP, provides essential guidance and updates to professional disciplinary/regulatory practitioners acting for businesses, public sector bodies, regulators and the regulated in all professional sectors.

You will hear from true leaders in the field in relation to a number of current hot topics in professional discipline. These include the activities of the overarching regulators; developments in relation to dishonesty cases; requirements in relation to disclosure; the duty of candour; adverse inferences; interim order extensions and the current activities of the Higher Courts in the sector.

The conference will be closed by a summary case law update from Kenneth Hamer, author of the '*Professional Conduct Casebook*'.

Chair

Nick Leale is the leader of Blake Morgan's Professional Regulatory team which is rated in Band 1 in *Chambers 2015* and *Legal 500 2014* and acts for numerous regulators in the healthcare, education, legal, accountancy, financial, engineering, property and ecclesiastical sectors. Nick is recommended as a leader in the field by *Chambers* and *Legal 500* in which he is described as 'forward-thinking and client focused' and 'possessing the skills of a criminal advocate combined with the attention to detail of a civil lawyer'. Nick initially practised at the criminal Bar before joining Blake Morgan (then Blake Laphorn) in 2005. He is a frequent professional disciplinary advocate and relationship partner in relation to a number of Blake Morgan's most significant bulk and long term professional regulatory contracts. He is the Treasurer of ARDL.

Speakers

Shelley Brownlee is a specialist regulatory advocate with over five years' experience in the field of healthcare regulation. Shelley has significant experience of advising on and presenting complex cases at each Fitness To Practice stage - from interim order applications and final hearings before practice committees to interim order extension applications and statutory appeals before the High Court.

Kenneth Hamer is a barrister and recorder of the Crown Court. He is a member of the prosecuting panel of the Bar Standards Board, former chairman of the Appeal Committee of the Chartered Institute of Management Accountants, and a legal assessor to the GMC, NMC and GDC. He is the author of *Professional Conduct Casebook*, published by Oxford University Press, March 2013.

Iain Miller is a partner and head of regulation at Bevan Brittan LLP. The firm acts for a broad range of professional and other regulators. Iain has worked in the field of professional regulation for over 20 years and is a leader in that field. Iain is Joint General Editor of *Cordery on Legal Services* and is also co-editor of *Butterworth's Guide to the Legal Services Act 2007*.

Julie Norris is a partner (dual qualified) in the Regulation and Professional Discipline Team at Kingsley Napley LLP. Julie specialises in the fields of health, professional and legal services, dividing her practice between acting for individuals and for regulators. Julie is ranked as a leading individual in the field by the major legal directories.

Jasveer Randhawa is a solicitor advocate at Herbert Smith Freehills LLP specialising in administrative and public law and professional discipline, and has experience of prosecuting and defending in disciplinary cases in addition to revising disciplinary schemes and judicial reviews.

Ian Ryan is a solicitor advocate in the civil and criminal courts, and a member of the Solicitors Assistance Scheme and the Law Society's register of Anti-Money Laundering (AML) professionals who give advice to professionals requiring AML advice. He has appeared at the Solicitors Disciplinary Tribunal for over 15 years, initially for the SRA and subsequently exclusively for the defence.

Phillip Stott has 10 years experience appearing before the General Medical Council, the Nursing and Midwifery Council, the General Dental Council and the Health and Care Professions Council, in respect of interim orders and fitness to practice tribunals, both prosecuting and defending.

9.00 Registration

9.30 Chair's Welcome and Introduction

Nick Leale, Blake Morgan Solicitors

9.45 Disposal of Cases Without A Hearing - The Impact of Case Examiners; Consensual Disposal and Voluntary Removal

An overview of the current regimes and trends for disposal/removal of registrants by consent | To what extent do the regimes meet the overarching objectives of the regulators and represent a fair procedure for registrants? | Focus on healthcare: unification and codification; a missed opportunity?

Julie Norris, Kingsley Napley Solicitors

10.30 Making and Defending Allegations of Dishonesty; and An Update on the Present State of the Law Re Dishonesty

Drafting allegations - common pitfalls | Preparing a Respondent's statement | Calling the client | Character witnesses | The present state of the law.

Ian Ryan, Howard Kennedy

11.15 Refreshments

11.30 Overall Disclosure Requirements and Management of Personal Data/Confidentiality

Disclosure and particular issues of confidential information | The impact of freedom of information requests | Confidential information and subsequent litigation.

Jasveer Randhawa, Herbert Smith Freehills Solicitors

12.15 Misconduct Versus Deficient Professional Performance/Lack of Competency - The Distinctions and The Best Approach to Charging

Definitions of misconduct/lack of competency | What can be learned from the relevant case-law | Availability of sanctions across regulators | Perils and pit-falls, dos and don'ts | Charging examples.

Philip Stott, QEB Hollis Whiteman Chambers

1.00 Q & A

1.15 Lunch

2.15 Overarching Regulators - Their Role and How to Avoid Their Intervention

The PSA's section 29 process | The decision to issue section 29 proceedings | Trends from the PSA | What can be learnt from this? Lessons for other regulators (non healthcare).

Shelley Brownlee, Blake Morgan Solicitors

The essential annual conference for disciplinary & regulatory lawyers

3.00 Refreshments

3.15 Other Current Issues in Regulatory Proceedings

Duty of Candour | Case management | Costs.

Iain Miller, Bevan Brittan Solicitors

4.00 Key Case Law Update

Summary of leading cases 2013-14 | Analysis of important healthcare decisions | Easy-to-follow A-Z format.

Kenneth Hamer, Henderson Chambers

4.50 Chair's Concluding Remarks and Questions

Conference Close **5.00**

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