



The
**Human Rights Law
Conference 2004**

6th
Annual Conference

Friday 15 October 2004
Church House
Dean's Yard
Westminster
London SW1



JUSTICE

THOMSON

SWEET & MAXWELL

**NEW OPPORTUNITIES,
NEW THREATS**

Developing the Human Rights Act
amid conflicting pressures

*“the acclaimed annual event
ensuring you are fully up
to date with the latest
developments in
human rights law”*

Earn 6 hours of Law Society/
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Keynote speaker:

Lord Justice Laws,
Lord Justice of Appeal

Plenary session
speakers:

Helen Mountfield
Matrix Chambers

Professor Conor Gearty
London School of Economics

Nicholas Blake QC
Matrix Chambers

Murray Hunt
Legal Adviser,
Parliamentary Joint Committee
on Human Rights

Linda Robinson
Terrorism and Protection Policy Unit,
Home Office

WHY YOU SHOULD ATTEND THIS CONFERENCE

Human rights thinking now pervades law and practice in the UK. The Human Rights Act is no longer new, but its influence continues to grow. Further innovations – like the EU Charter of Fundamental Rights – are imminent. But are political responses – to terrorism, asylum, crime and mental health – riding roughshod over human rights principles?

As the gulf between human rights law and ‘other’ law closes, all practitioners, policy-makers and academics need to be fully aware of the implications of these developments. The JUSTICE/Sweet & Maxwell Human Rights Law conference has grown to become the established annual forum for consideration of the latest case law and legislation.

The conference will review the significant developments of the past year and give important pointers to the future. Expert speakers in specialist interactive workshop sessions will examine the most pressing issues in detail, covering:

- Business and human rights
- Closed evidence hearings
- Criminal law
- Equality
- Immigration and asylum
- Freedom of information
- Judicial review
- Mental health

Whatever your particular area of interest, this conference is an essential means of ensuring you are fully up to date with the latest developments in human rights law.

Key issues include:

- Are counter-terrorism and human rights compatible?
- How are human rights developments affecting the business sector?
- What does EU enlargement mean for asylum law?
- How will the new freedom of information regime work in practice?
- Is the draft Mental Health Bill a threat to the rights of a vulnerable minority?

What delegates said about the 2003 Human Rights Law Conference

“I think it was fantastic”

“Very good indeed, highly relevant for any practitioner”

“Well structured conference and impressive speakers led to a worthwhile day – good documentation provided”

“Well managed, excellent content and suitably pitched; top drawer”

“An excellent day”

NEW OPPORTUNITIES, NEW THREATS

Developing the Human Rights Act amid conflicting pressures

Friday 15 October 2004 Church House, Dean's Yard, Westminster, London SW1

- Presenting the most up to date analysis of human rights in practice
- Assessing the implications of recent case law
- Anticipating future challenges
- Considering how human rights are affecting your area of practice

9.00 Registration

Morning plenary session

Chaired by Jennifer McDermott, Lovells,
Chair of JUSTICE Executive Board

9.30 Introduction from the chair

9.30 Keynote speech

Lord Justice Laws, Lord Justice of Appeal

10.10 Review of the Year

Helen Mountfield, Matrix Chambers

10.40 Questions & discussion

11.00 Coffee Break

11.30 Morning breakout sessions

1. Criminal Law and Human Rights Update

Professor Andrew Ashworth QC, All Souls College,
Oxford. Michelle Strange, Doughty Street Chambers

This session will provide an overview of key cases and legislative developments in the field of criminal law and human rights, including coverage of key decisions of the Divisional Court, Court of Appeal, House of Lords and European Court of Human Rights.

Chaired by: **Janet Arkinstall**, JUSTICE

2. Equality and Human Rights

Professor Aileen McColgan, Matrix Chambers
Henrietta Hill, Doughty Street Chambers

A session examining the contribution that human rights makes to the law and practice of equality law, including coverage of the following issues: In which areas has human rights law added to the existing protection offered by equality law? How does human rights law help in achieving a balance between conflicting rights and expectations?

Chaired by: **Gay Moon**, JUSTICE

3. EU Enlargement, Immigration and Asylum

Raza Husain, Matrix Chambers
Nicola Rogers, 2 Garden Court Chambers

Immigration and asylum law in the UK is in a state of continuous upheaval. This session looks at the major

developments in human rights terms, including the impact of EU enlargement on UK immigration policy and the provisions of the Asylum and Immigration (Treatment of Claimants) Act 2004.

Chaired by: **Anneliese Baldaccini**, JUSTICE

4. A New Landscape for Mental Health?

Alison Foster QC, 39 Essex Street Chambers
Lucy Scott-Moncrieff, Scott-Moncrieff Harbour
& Sinclair

The legal framework for mental health issues is about to change: a revised draft Mental Health Bill is expected to be released by the government in 2004 and the draft Incapacity Bill is about to be presented in Parliament. What will be the effect of these and other developments in policy and case law? And what are their implications for human rights?

Chaired by: **Roger Smith**, JUSTICE

13.00 Lunch

14.00 Afternoon breakout sessions

5. Closed Evidence and Fair Proceedings: the use of Special Advocates in Civil and Criminal Law

Ben Emmerson QC, Matrix Chambers
Tom de la Mare, Blackstone Chambers

This session looks at the use of special advocates in criminal cases involving public interest immunity, and in civil proceedings including the Special Immigration Appeals Commission. The session will also consider their use in light of the judgments of the House of Lords in *H and C* and the European Court of Human Rights in *Edwards and Lewis v UK*.

Chaired by: **Martin Chamberlain**, Brick Court Chambers

6. Human Rights and Judicial Review

Pushpinder Saini, Blackstone Chambers
Jenni Richards, 39 Essex Street Chambers

How effective is judicial review as a means to protect Convention rights under the Human Rights Act? And what limits do the courts observe in reviewing governmental action? This session examines the latest cases and other developments in administrative law relating to human rights and public authorities.

Chaired by: **Shaheen Rahman**, One Crown Office Row Chambers

7. Business and Human Rights Standards

Michael Smyth, Clifford Chance
Jonathan Cooper, Doughty Street Chambers

Economic globalisation means that UK businesses are increasingly involved in a world economy, including a large number of foreign markets where human rights are under challenge. What are the relevant national and international standards for businesses in relation to human rights? And what are the legal underpinnings? This session looks at recent developments in the corporate responsibility of businesses under human rights standards, particularly those operating on a trans-national basis.

Chaired by: **Nick Aleksander**, Gibson Dunn & Crutcher LLP

8. Public Secrets and Free Information

John Macdonald QC, New Square Chambers
Richard Thomas, Information Commissioner

This session looks at developments surrounding the government use and control of information, in light of the coming into force of the Freedom of Information Act in 2005, the prominent failure of a prosecution under the Official Secrets Act, and ongoing inquiries concerning the conduct of public bodies under Data Protection legislation.

Chaired by: **Jemima Stratford**, Brick Court Chambers

15.30 Tea break

16.00 Afternoon plenary session

Human Rights and the War on Terror

Chaired by **Eric Metcalfe**, Director of Human Rights Policy, JUSTICE

Afternoon plenary speaker:

Professor Conor Gearty,
London School of Economics

16.30 Panel discussion

Nicholas Blake QC, Matrix Chambers

Murray Hunt, Legal Adviser, Parliamentary Joint
Committee on Human Rights

Linda Robinson,
Terrorism and Protection Policy Unit, Home Office

17.30 Close

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The Experts brief you on the latest thinking...

We have assembled a distinguished panel of speakers to update you on the implications of the Human Rights Act. As in previous years it includes senior members of the judiciary, leading QCs and prominent solicitors. All have been closely involved with the development of Human Rights law in the UK and are perfectly placed to pass on their practical experience.

Plenary speakers:

Lord Justice Laws,
Lord Justice of Appeal

Helen Mountfield, Matrix Chambers

Professor Conor Gearty, London
School of Economics

Nicholas Blake QC, Matrix Chambers

Murray Hunt, Legal Adviser,
Parliamentary Joint Committee on
Human Rights

Linda Robinson, Terrorism and
Protection Policy Unit, Home Office

Workshop presenters:

Professor Andrew Ashworth QC,
All Souls College, Oxford

Jonathan Cooper,
Doughty Street Chambers

Tom de la Mare,
Blackstone Chambers

Ben Emmerson QC,
Matrix Chambers

Alison Foster QC, 39 Essex Street

Henrietta Hill,
Doughty Street Chambers

Raza Husain, Matrix Chambers

Professor Aileen McColgan,
Matrix Chambers

John Macdonald QC,
New Square Chambers

Jenni Richards,
39 Essex Street Chambers

Nicola Rogers,
2 Garden Court Chambers

Pushpinder Saini, Blackstone Chambers

Lucy Scott-Moncrieff, Scott-Moncrieff
Harbour & Sinclair

Michael Smyth, Clifford Chance

Michelle Strange, Doughty Street Chambers

Richard Thomas,
The Information Commissioner

Conference organisers:

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The Human Rights Law Conference 2004

Friday 15 October 2004

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Fee for Academics: £225 +VAT

Fee for Voluntary/Charitable organisations, law centres, barristers under 3 years call, pupils and trainees: £135 +VAT (there are a limited number of places available at this rate)

For more information please contact the Conference Administrator on **020 7393 7859**. Cancellations must be received in writing by 1 October 2004 and will be subject to a £50 (+VAT) administration fee. Delegates cancelling after this date or failing to attend the conference will be liable for the full conference fee. Delegate substitutions may be made at any time. Sweet & Maxwell reserve the right to change the programme, date, content, speakers and venue as necessary.

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