

# Professional Discipline and Regulation

A comprehensive analysis of the latest legislative, practical and case law developments



**Wednesday 14 April 2010**  
**Central London**

**Chaired by:**

**MATTHEW LOHN**  
Field Fisher Waterhouse LLP

**Hear from the regulators:**

**ANTONY TOWNSEND**  
Solicitors Regulation Authority

**ADAM SAMPSON**  
Office for Legal Complaints

**OLIVER CODRINGTON**  
British Horseracing Authority

**DARREN BAILEY**  
Football Association

**DANIEL THORNTON**  
Financial Services Authority

**Meet our expert panel:**

**JEREMY DONNE QC**  
QEB Hollis Whiteman

**JOANNA GLYNN QC**  
1 Crown Office Row

**JAVAN HERBERG**  
Blackstone Chambers

**ANDREW LIDBETTER**  
Herbert Smith LLP

**FENELLA MORRIS**  
39 Essex Street

**PAUL OZIN**  
23 Essex Street

**MARY TIMMS**  
Field Fisher Waterhouse LLP

**TIM WARD**  
Monckton Chambers

**Attending this practical one day conference will enable you to:**

- Hear from the **SRA** and **OLC** on the **reform of legal services**
- Discover the impact of the **latest case law** on practice
- Gain practical tips on handling **costs in disciplinary proceedings**
- Tailor the day to suit your needs by attending **break out sessions** in the afternoon
- **Share insights** with other regulators from the world of **health and social care, sport, finance** and more

Complimentary conference webcast included in your conference fee:

**Professional Discipline – Regulation and Reform**

**October 2010 • 2 CPD hours**

Presented by: **Matthew Lohn** and **Mary Timms**,  
Field Fisher Waterhouse LLP

**BOOK TODAY** tel +44 (0)20 7347 3573

fax +44 (0)20 7347 3576 email [registrations@lexisnexis.co.uk](mailto:registrations@lexisnexis.co.uk)

[www.conferencesandtraining.com/professional-discipline](http://www.conferencesandtraining.com/professional-discipline)

# A comprehensive analysis of the latest legislative, practical and case law developments

## Are you up to date with this fast-moving area of practice?

The provisions of the Legal Services Act are now being rolled out. The Legal Services Board is due to be fully up and running by early 2010 and the Office for Legal Complaints will be functioning by the second half of 2010. Changes are also continuing apace in the healthcare field, with a raft of important cases and the introduction of the new Office of the Healthcare Adjudicator.

**Butterworths® Professional Discipline and Regulation** conference is the landmark event for the disciplinary and regulatory community. Chaired by **Matthew Lohn** of Field Fisher Waterhouse, our expert speaker panel from the regulatory bodies, private practice and the Bar includes **Joanna Glynn QC** of 1 Crown Office Row and **Antony Townsend**, Chief Executive of the Solicitors Regulation Authority.

This popular conference will provide you with the bigger picture of the latest trends and will also drill down to the specifics in afternoon break out sessions. Speakers will lead you through the most important cases and key practical developments. Share experiences with other regulatory bodies to ensure that you apply the right standards in practice.

## Attending this conference will give you an opportunity to:

- Hear analysis of the 'need to know' cases of the past 12 months
- Gain tips on the practicalities of the tribunal, including rules of evidence and working with experts
- Discover how a regulatory body assesses suitability and what makes someone fit or proper
- Analyse the regulation of financial services professionals and the impact of the economic climate
- Understand how best to challenge a decision and the relevant human rights considerations

Complimentary conference webcast included in your conference fee:

### Professional Discipline – Regulation and Reform

October 2010 • live broadcast • 2 CPD hours  
Venue: at your desk!

This complimentary webcast will provide you with a comprehensive update of the key case law and legislative developments, six months on from the conference.

Presented by: **Matthew Lohn**, Partner and Head of Public and Regulatory Law Group, Field Fisher Waterhouse LLP and **Mary Timms**, Partner, Field Fisher Waterhouse LLP

### You will be in good company, past delegates include:

Bar Standards Board • BDO Stoy Hayward • Bevan Brittan • British Horseracing Authority • British Psychological Society • Capsticks Solicitors • Charles Russell • Department for Work and Pensions • Department of Health • Faculty of Actuaries • Financial Reporting Council • General Dental Council • General Medical Council • General Optical Council • General Social Care Council • General Teaching Council • Grant Thornton • Herbert Smith • Institute of Chartered Accountants • Kingsley Napley • Law Society of Scotland • Medical Protection Society • Metropolitan Police • Pannone • Nursing & Midwifery Council • Pharmacists' Defence Association • Penningtons Solicitors • Reynolds Porter Chamberlain • Royal Pharmaceutical Society of Great Britain • Shepherd and Wedderburn • Solicitors Disciplinary Tribunal • Solicitors Regulation Authority • Sovereign Chambers

### Hear what our past Professional Discipline and Regulation delegates said:

*"Useful and thorough update on regulatory law and developments."*

Nicola Fleming, AADB, 2009 delegate

*"Well organised, varied, succinct in relevant areas. Informative – good handouts."*

Shelley Brownlee, NMC, 2009 delegate

*"A useful insight into the potential pitfalls to be wary of during disciplinary proceedings from a regulatory perspective."*

Nick Hill, British Horseracing Authority, 2009 delegate

# PROGRAMME – Wednesday 14 April 2010

08.45 Registration and coffee

## 09.20 Chair's opening remarks

**MATTHEW LOHN**, *Partner*, Field Fisher Waterhouse LLP

## 09.30 The reform of legal services

- Implementing the Legal Services Act 2007 – the timeline going forward
- The role of the different regulators
- The Office for Legal Complaints and the new Ombudsman scheme tasked to investigate and resolve complaints made by consumers

**ANTONY TOWNSEND**, *Chief Executive*, Solicitors Regulation Authority

**ADAM SAMPSON**, *Chief Ombudsman*, Office for Legal Complaints

## 10.25 Healthcare professional regulation

- An update on the implementation of the White Paper, including the Office of the Healthcare Adjudicator
- Significant healthcare regulatory case law

**JOANNA GLYNN QC**, 1 Crown Office Row

11.05 Coffee

## 11.20 Analysing the top cases of 2009 to 2010

An in-depth look at the most recent developments and key decisions of the past twelve months

**ANDREW LIDBETTER**, *Partner*, Herbert Smith LLP

## 12.00 Costs issues and sanctions

- The implications of costs provisions in disciplinary proceedings
- How are costs assessed?
- The recent case law relating to costs
- Undertakings, sanctions and warnings

**MARY TIMMS**, *Partner*, Field Fisher Waterhouse LLP

12.45 Lunch

## 13.45 Practicalities of the tribunal and evidential matters

- Understanding the powers, constitution and duties of the tribunal and the role of the regulator
- Consistency of decision making/outcomes
- Rules of evidence in regulatory and disciplinary proceedings
- Working with experts

**PAUL OZIN**, 23 Essex Street

## 14.30 Break out session 1:

### Option 1: Regulating financial services professionals

- The impact of the economic climate on regulating financial services professionals
- Investigative powers of the FSA

- Disciplinary action by the FSA, and the role of the Financial Services and Markets Tribunal
- Principles-based regulation

**JAVAN HERBERG**, Blackstone Chambers

**DANIEL THORNTON**, *Chief Litigation Counsel*, Enforcement and Financial Crime Division, Financial Services Authority

Or

### Option 2: The regulation of sport

- How does a regulatory body assess suitability?
- What makes someone not 'fit or proper'?
- Is such a concept open to definition, or is it entirely a matter for subjective assessment?

**OLIVER CODRINGTON**, *Head of Compliance and Licensing*, The British Horseracing Authority

- The burden of proof in sporting matters
- The use of provisional suspensions
- Identification and implementation of sanctioning guidelines
- Speed of process
- Media management
- The international dimension

**DARREN BAILEY**, *Director of Football Governance and Regulation*, The Football Association (formerly Head of Legal and Legislative Affairs, the International Rugby Board)

15.15 Tea

## 15.30 Break out session 2:

### Option 1: Changes to the day to day regulation of legal services

- Should law firms and barristers' chambers be taking any special measure to prepare for the new regulatory regime?
- Complying with rule 9 and rule 7 of the Solicitors' Code of Conduct
- What relationship is there between the concept of professional discipline and consumer redress?
- Common non-compliance of solicitors and penalties for non-compliance

**FENELLA MORRIS**, 39 Essex Street

Or

### Option 2: Disclosure and dishonesty

- The obligations of the regulators to disclose
- How far must a regulator go?
- Dishonesty issues before and during the hearing

**JEREMY DONNE QC**, QEB Hollis Whiteman

## 16.15 Challenging the decision and human rights considerations

- When to bring a challenge to a decision
- Why and when to go for judicial review
- Human rights and disciplinary hearings

**TIM WARD**, Monckton Chambers

## 16.55 Chair's closing remarks

17.00 Close of conference

Keynote address

**BOOK TODAY** tel +44 (0)20 7347 3573 fax +44 (0)20 7347 3576

email [registrations@lexisnexis.co.uk](mailto:registrations@lexisnexis.co.uk) • [www.conferencesandtraining.com/professional-discipline](http://www.conferencesandtraining.com/professional-discipline)

# Registration

Your priority booking code is:

**ENQS**

You will need to quote this code to claim your early booking discount\*

\*The early booking discounts are only available when you register by the dates stated below.

## Professional Discipline and Regulation

Wednesday 14 April 2010 • Central London

### Payment details

- £499 + VAT (£87.33) = £586.33 per delegate for bookings received by 5 February 2010 – SAVE £100!**
- £549 + VAT (£96.08) = £645.08 per delegate for bookings received by 26 February 2010 – SAVE £50!**
- £599 + VAT (104.83) = £703.83 per delegate for all bookings made after 26 February 2010**
- Regulatory bodies:** book one place and the second delegate place is **half price** (half of the full price)
- Documentation only = £299 (zero VAT)

**Group booking discounts are available please contact Ailsa Hardy on 020 7400 2733**

\* Please note: discounts cannot be used in conjunction with one another.  
You will need to quote your booking code to claim your discount

- Payment by cheque made payable to LexisNexis®
- Payment by credit card  Maestro  Mastercard  Visa  Amex
- Card No.
- Expiry date     Security code (CV2)

### 1st delegate details

Name

Job title

Email   
*(Please note we may need to send you information on venue changes by email)*

Tel

Additional requirements

### 2nd delegate details

Name

Job title

Email   
*(Please note we may need to send you information on venue changes by email)*

Tel

Additional requirements

### Address details

Company

Address

City  Postcode

### Booking contact / invoice address

Name

Tel  Email

Address (if different from above)

I understand that this booking is subject to the cancellation terms set out on this registration form.

Authorised Signature

(all bookings must be signed)

Please return to: LexisNexis® Conferences, Halsbury House, 35 Chancery Lane, London WC2A 1EL. VAT No: 730 8595 20

### How to book

-  **BOOKINGS AND ENQUIRIES:** 020 7347 3573  
*Lines open from 8.30am to 5pm, Monday to Friday*
-  **FAX:** 020 7347 3576
-  **POST:** LexisNexis® Conferences, Halsbury House,  
35 Chancery Lane, London WC2A 1EL
-  **EMAIL:** registrations@lexisnexis.co.uk
-  **ONLINE:** www.conferencesandtraining.com/  
professional-discipline

### Sponsorship and exhibition opportunities

#### Enforce your brand and meet new clients

Take this excellent opportunity to position your organisation at the forefront of the market. This conference will provide an excellent platform to raise your organisation's profile in front of key industry participants and showcase your expertise and services as the pre-eminent organisation in the field. To find out more about the range of opportunities available, please contact **Caroline Fuller** on **+44 (0) 7974 406673** or email: **caroline.fuller@lexisnexis.co.uk**

### Forthcoming events

Should you require any further information on any of the events below, please tick the appropriate box and return to LexisNexis® Butterworths.

- Commercial Judicial Review and Regulatory Proceedings**, 18 February, London
- Inquest Law**, 25 March, London
- Serious and Corporate Crime**, 30 March, London
- Sport and the Law**, 30 March, London
- Asset Recovery and Confiscation**, 27 April, London
- Practicalities of the Professional Regulation Tribunal MasterClass**, May, London

For more information visit [www.conferencesandtraining.com](http://www.conferencesandtraining.com)

### You can still benefit from the day – even if you can't make it!

Naturally, nothing matches the experience of coming to the conference, but if you really can't make it, you can still benefit by ordering a set of course papers. Available for £299, this will give you a permanent record of the subjects covered, which you can share with your colleagues.

To order call on 020 7347 3573 or return the booking form.

## Administration

**VENUE**  
Central London. The venue will be confirmed in the joining instructions letter, once we have received your booking.

**FEE**  
Your one-day fee includes attendance, refreshments, lunch and course documentation. Full payment, including VAT must be received prior to the conference. Please post a cheque for the full amount with your completed registration form or complete the credit card payment details. Once payment has been received a VAT invoice/receipt will be issued.

**OUR CONFIRMATION OF YOUR BOOKING**  
All bookings will be acknowledged in writing within five working days of receipt and joining instructions (final conference details and a venue location map) will be emailed to delegates approximately two weeks before the event. Please telephone the Bookings Enquiries line immediately:

- if you have not received written acknowledgement of your booking within 7 days of sending it by fax, post or email or
- if you have not received your joining instructions five days before the event

**HOTEL ACCOMMODATION**  
Venuehunt Ltd  
Tel: 01722 500 675  
Fax: 01722 500 729  
Email: [lexisnexis@venuehunt.co.uk](mailto:lexisnexis@venuehunt.co.uk)  
Quote the code VHLEX at the time of booking.

**ADDITIONAL REQUIREMENTS**  
LexisNexis® Conferences would like to ensure that all delegates can participate fully at our events. If you have any additional requirements, eg, wheelchair access, large print documentation or an induction loop, or if you have any particular dietary requirements please let us know on the adjacent form.

- Please call me to discuss my requirements in more detail.

**CERTIFICATE OF ATTENDANCE**  
A certificate of attendance is available on request, following your attendance at this conference, as a record of your training and development.

**DOCUMENTATION SALE**  
Your notes will be dispatched within five working days after the event. Please call us if you do not receive your notes by two weeks after the event.

**CANCELLATIONS**  
A refund of fees will be made only for cancellations received in writing at least 14 days before the event (less a 25% cancellation fee to cover administration costs). No refunds will be made for cancellations received within 14 days of the event and failure to attend after confirming a booking will be subject to the same terms. We regret that the transfer of a booking to another event cannot be made but 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 circumstances beyond our control.*

If you do not wish to be kept informed by  mail  phone  fax  email of other LexisNexis® products and services, please tick the box.

If you do NOT wish your mailing details to be passed on to companies approved by LexisNexis®, to keep you informed of their products and services, please tick the box.

For details of our privacy policy visit our website at: [www.lexisnexis.co.uk/privacy](http://www.lexisnexis.co.uk/privacy)

© LexisNexis® 2010